

4 SEPTEMBER 1941

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I N D E X
of
EXHIBITS

<u>Doc. No.</u>	<u>Def. No.</u>	<u>Pros. No.</u>	<u>Description</u>	<u>For Ident.</u>	<u>In Evidence</u>
1877	3083		Affidavit of SHIMODA, Chiayoshi		27529
2240	3084		Affidavit of OKABE, Eiichi		27534
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1 Thursday, 4 September 1947
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8 The Tribunal met, pursuant to adjournment,
9 at 0930.
10 - - -
11 Appearances:
12 For the Tribunal, all Members sitting, with
13 the exception of: HONORABLE JUSTICE R. B. PAL, Member
14 from India, not sitting from 0930 to 1600.
15 For the Prosecution Section, same as before.
16 For the Defense Section, same as before.
17 - - -
18 (English to Japanese and Japanese
19 to English interpretation was made by the
20 Language Section, IMTFFE.)
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MARSHAL OF THE COURT: The International
1 Military Tribunal for the Far East is now in session.

2 THE PRESIDENT: Major Moore.

3 LANGUAGE ARBITER: (Major Moore): If the
4 Tribunal please, we present the following language
5 corrections:

6 Record page 1630, line 25, after "asked"
7 insert "both of"; delete "They said"; line 26
8 delete from "that they" to the end of the paragraph
9 and substitute "there seemed to be included, besides
10 that, a desire to borrow some troops, but I refused
11 it and ordered it stopped immediately."

12 Exhibit 3051, record page 27,242, line 16,
13 substitute "add to" for "for."

14 Yesterday, a question was raised, record
15 page 27,459, line 16, as to the translation of the
16 question and answer as found in line 7. Comparison
17 of the English and Japanese record shows that the
18 question and answer were translated correctly.

19 THE PRESIDENT: Thank you, Major.

20 Mr. Freeman.

21 MR. FREEMAN: If the Tribunal please, I
22 respectfully request the Court's indulgence to make
23 an explanation.

24 Yesterday the question of length of affidavits

1 was suggested, and in connection with this matter I
2 would like to state to the Court that many of these
3 affidavits do seem lengthy; some parts of them even
4 do not appear to be dealing with the subject matter
5 before the Court. However, there is included in the
6 affidavits subject matter which, if not accepted now,
7 will be later introduced in individual cases. It is
8 believed that the acceptance now of this matter which
9 apparently may not concern the subject matter being
10 considered will reduce the time consumed in individual
11 cases.

12 THE PRESIDENT: In this particular case the
13 Tribunal did nothing more but question the inclusion
14 of details of battles fought on the way to the seat
15 of the alleged atrocities. Such details could not be
16 given by the individual accused. They are interesting
17 but wholly irrelevant. So do omit those details when
18 you are reading the affidavit of this witness,
19 Mr. Freeman.

20

21

22

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25

ADE

DIRECT

1 Y O S H I M I T S U A D E, resumed the stand and
2 testified, through Japanese interpreters, as
3 follows:

4 DIRECT EXAMINATION

5 MR. FREEMAN: I shall read exhibit 3082,
6 leaving out paragraphs 4, 5, 6, and 8.

7 "2. An outline of my career is as follows:

8 "(1) Graduated from the Military Academy
9 in 1920, Second Lieutenant, Infantry.

10 "(2) Staff officer, North China Area Army,
11 Major, Infantry.

12 "(3) Attached to the Military Affairs
13 Bureau of the War Ministry, Lieutenant Colonel,
14 Infantry.

15 "(4) Chief of Staff of the 38th Division,
16 Colonel, Infantry.

17 "(5) Commander of the Army Railway Trans-
18 port of the Hiroshima District. Major General until
19 the close of the war.

20 "3. I took part in the battle of Hong Kong
21 in the capacity of Chief of Staff of the 38th Division.
22 The said battle was started on command of the 23rd
23 Army on the morning of December 8, 1941.

24 "7. We did not receive any information that
25 there were Soviet merchant ships at anchor in the

ABE

DIRECT

27,520

1 harbor neither before nor during the landing opera-
2 tions. We did see three or four sunken ships in the
3 harbor before our attack, however, but could not tell
4 whether it was due to bombing by a chance shell fired
5 either by the enemy or us or from scuttling. Our
6 bombardment was concentrated on the enemy ground
7 positions, obstacles and artillery positions in the
8 vicinity of our landing point. We felt no need to
9 fire at the ships in the harbor. And indeed there
10 is no fact behind any accusation that we fired on the
11 ships lying at anchor in the harbor. On the contrary,
12 it is possible that an enemy shell might have hit the
13 anchored ships as they were directing their fire at
14 our landing craft in the course of the landing opera-
15 tion. The Japanese troops did not open fire within
16 their landing barges until they landed. The thing
17 they did was to put up a smoke-screen while the enemy
18 fired at our landing barges.
19

20 "The landing operation was commenced at
21 about 2100 o'clock under cover of darkness, so
22 although the enemy used searchlights their firing
23 was so much hit and miss it is quite possible that
24 some of those merchant ships which were within the
25 zone of maneuver of our landing barges might have
been hit by enemy shells.

ABE

DIRECT

1 "We are positive that our army absolutely
2 never committed such acts as to lock up the ships'
3 crew, confiscate them of their belongings or their
4 provisions, etc.

5 "It cannot, however, be denied that the
6 Chinese residents who were in the occupied area of
7 the Japanese forces, after we succeeded in the land-
8 ing operations of Hong Kong, plundered evacuated houses
9 and warehouses at night and sometimes even in the day-
10 time and used small junks to loot ships in the harbor.
11 Since our division was still occupied with all its
12 strength in attacking interior positions on the
13 island at the time it was very difficult for us to
14 be tending to the suppression of such disorders.

15 "9. In order to avoid further useless
16 sacrifice of human lives, the 23rd Army twice dis-
17 patched its Chief of Staff TADA as a bearer of a
18 flag of truce, to advise the British Army to surrender.
19 Particularly, on the second occasion, we suggested to
20 them to consider the evacuation of at least the women
21 and children from the island, which, however, was not
22 accepted by the British Army.

23 "10. With reference to prisoners of war,
24 as our division took charge of...only discerning and keep-
25 ing watch of them, I do not remember exactly how many

ADE

DIRECT

1 British war prisoners there were, but I think there
2 were about fifteen in Kowloon and about six thousand
3 in Hong Kong.

4 "The British Army troops voluntarily dis-
5 armed themselves and gathered in their barracks, so
6 it wasn't as troublesome as we had anticipated nor
7 did any incident occur. Thereafter the handling of
8 the war prisoners was completely under the super-
9 vision of the 23rd Army.

10 "11. Regarding the noncombatants in Hong
11 Kong, the 23rd Army took charge of them, but they
12 were small in number as the majority of the families
13 of the British had evacuated Hong Kong before the
14 battle began. The remaining number continued to
15 live in hotels or in their own homes just as they had
16 been doing.

17 "12. We were deeply moved by the Imperial
18 Command which gave us the honor of capturing Hong
19 Kong and very conscious of the heavy responsibility
20 and duties involved.

21 "The Divisional Commander gave us instruc-
22 tions on several occasions, the gist of which was as
23 follows:

24 "The attack on Hong Kong differs from
25 garrisoning in China. It is an attack on a fortress

ADE

DIRECT

27,523

1 which has seen years of laborious preparation by
2 the British, and it will be against an army which is
3 one of the strongest forces in Europe. It is there-
4 fore certain that the history of thi battle will be
5 closely examined and commented upon by future his-
6 torians for a long time. We must pledge ourselves
7 to stake all our lives upon a victory in this battle.
8 Particularly, no act of illegal conduct should be
9 committed throughout the battle, such as murder,
10 atrocities, plunder and destruction, etc. Our atti-
11 tude must be gentlemanly so that we may not suffer
12 even the slightest criticism from the enemy as well
13 as the third powers.'

14 "Throughout the battle we strictly obeyed,
15 without the slightest variation, the purport of the
16 above instructions."

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ABE

DIRECT

"After our division broke through the border
1 and captured the enemy's principal position, tactical
2 principles demanded that the whole army should imme-
3 diately storm into the town of Kowloon so that the
4 enemy garrison for the district of Kowloon might be
5 prevented from retreating to the Island of Hong Kong.
6 However, as it was plain that the entry of a large
7 number of soldiers into Kowloon would necessarily throw
8 the city into confusion, the entire army was ordered
9 to halt at the foot of a hill to the north of the city,
10 and only two infantry battalions with the best training
11 records in the division were ordered to enter the
12 town. As a consequence the whole town was completely
13 saved from confusion.

"During our landing operations on Hong Kong,
15 enemy artillery from their positions inside the town
16 fired fiercely at us. But despite the intense firing
17 by the enemy our troops were strictly forbidden to
18 bombard the town, and were ordered to aim only at such
19 pill-box positions as were located higher on the hill
20 than the residential section. Needless to say this
21 proved a great tactical disadvantage in our operations
22 but in spite of it we did our utmost to protect Hong
23 Kong from war disaster. Because our troops were not
24 permitted to attack inside of the city, Hong Kong still

ABE

DIRECT

1 remains today as it used to be and there were no
2 casualties among its residents. After the enemy on
3 the Island of Hong Kong surrendered at least three
4 battalions were needed ordinarily to maintain peace
5 and order of the city as well as to disarm the enemy.
6 But we selected only one of the best infantry batta-
7 lions in the division for this difficult task, cut
8 the number of men to the least possible, placed them
9 on their honor and they performed wonderfully.

10 "Even after the capture of all of Hong Kong,
11 we stationed only three select infantry battalions in
12 the town, because unforeseen incidents might possibly
13 follow the entry of a mass of troops into the city
14 and its vicinity. Our main forces, therefore, were
15 concentrated in the suburbs to the north of the town
16 of Kowloon and restrictions were placed on the soldiers
17 in entering the town. Thanks to these measures, no
18 incidents took place although some complaints were
19 heard among the soldiers.
20

21 "13. Looting by Chinese refugees was per-
22 petrated taking advantage of unguarded moments even
23 during the course of battle; therefore, we strictly
24 prohibited the public in general from going out at
25 night. However, as these refugees broke into eva-
cuated houses even during broad daylight to say

ABE

DIRECT

1 nothing of at night, we had extreme difficulty in
2 preventing such looting.

3 "After the occupation, Chinese refugees opened
4 markets in Kowloon and Hong Kong but the majority
5 of their transactions consisted of stolen goods.

6 "I am firmly convinced that there was abso-
7 lutely no case of murder, atrocity and looting
8 committed by the officers or men of our division.

9 "14. I do not remember exactly the number
10 of British soldiers killed and wounded, but the
11 wounded for the most part were taken care of by the
12 British Army themselves.

13 "Some of them were searched for and found
14 by our front line troops in conjunction with the
15 British Army. When the dead were discovered, they were
16 buried respectfully at the spot where they were found;
17 and the wounded were taken into hospitals.

18 "On this seventh day of December 1946."

19 THE PRESIDENT: My attention is directed by
20 a Member of the Tribunal to the third line on page 3,
21 and to the word "fifteen" in that line. Should that
22 be fifteen hundred, or fifteen thousand?

23 MR. FREEMAN: I will check.

24 THE PRESIDENT: Brigadier Nolan.

25 BRIGADIER NOLAN: May it please the Tribunal,

ABE

DIRECT

the evidence adduced by the prosecution with
1 respect to the atrocities and prisoners of war at Hong
2 Kong will be found in the evidence of an officer of
3 the Canadian Army, Captain Barnett, record 13,112 to
4 13,147, and in exhibits 1590 to 1608, inclusive,
5 record 13,162 to 13,184.
6

The evidence with respect to the sinking of
7 Soviet ships in Hong Kong Harbor will be found in
8 exhibits 818 to 821, record 8041 to 8047.
9

10 THE PRESIDENT: Was Captain Barnett a
11 chaplain?

12 BRIGADIER NOLAN: Your Honor will remember
13 that he was a chaplain whose duty it was to administer
14 to those patients and staff in a hospital at Hong
15 Kong.

16 There will be no cross-examination of this
17 witness.

18 MR. FREEMAN: If the Tribunal please, I will
19 attempt to correct this through the witness.
20

THE PRESIDENT: Yes.
21 BY MR. FREEMAN (Continued):
22

Q Mr. ABE, in your affidavit on page 5 of the
23 Japanese, you state that there were about fifteen
24 prisoners in Kowloon. Is this figure correct?
25

A That is how I recollect it.

ABE

1 MR. FREEMAN: The "fifteen" is correct.

2 May the witness be excused?

3 THE PRESIDENT: He is released on the usual
4 terms.

5 (Whereupon, the witness was excused.)

6 MR. FREEMAN: I next call the witness
7 SHIMODA, Chiyoshi, whose affidavit is defense docu-
8 ment 1877.

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SHIMODA

DIRECT

27,529

1 C H I Y O S H I S H I M O D A , called as a
2 witness on behalf of the defense, being
3 first duly sworn, testified through Japanese
4 interpreters as follows:

5 DIRECT EXAMINATION

6 BY MR. FREEMAN:

7 Q Mr. SHIMODA, will you give us your full
8 name?

9 A SHIMODA, Chiyoshi.

10 MR. FREEMAN: May the witness see defense
11 document 1877.

12 Q Is that your affidavit, and have you signed
13 it?

14 A This is my affidavit. It bears my signature.

15 Q Are the contents therein true and correct?

16 A They are true and correct.

17 MR. FREEMAN: I offer in evidence defense
18 document 1877.

19 THE PRESIDENT: Admitted on the usual terms.

20 CLERK OF THE COURT: Defense document 1877
21 will receive exhibit No. 3083.

22 (Whereupon, the document above
23 referred to was marked defense exhibit
24 No. 3083 and received in evidence.)

25 MR. FREEMAN: I shall read into evidence

SHIMODA

DIRECT

27,530

1 exhibit 3083, beginning with the second paragraph.

2 "II. The following is an outline of my
3 career.

4 "1924 graduated from the Military Academy.

5 "1936 attached to the General Staff Office.

6 "April 1940 staff officer of the 104th Division.

7 "October 1941 staff officer of the 23rd Army.

8 "March 1943 staff officer of the Kanto
9 Defense Army.

10 "April 1943 staff officer of the 3rd Imperial
11 Guard Division and chief of the staff of the 152nd
12 Division (Colonel).

13 "Termination of War.

14 "III. From April 1940 to October 1941 I
15 was a staff officer of the 104th Division and served
16 as the chief of operations and intelligence. In
17 October 1941 I was appointed a staff officer of the
18 23rd Army (stationed in Canton) and served as the chief
19 of intelligence till March 1943. I am, therefore, well
20 aware of the movements of the 23rd Army which was sta-
21 tioned in Canton district about 1941.

22 "In about lunar December of 1941, the army
23 stopped all operations and devoted all its energies
24 to the maintenance of public order. It is, therefore,
25 needless to say that it successfully entered the city

SHIMODA

DIRECT

without fighting. Since occupation of Hong Kong the Chinese Army restored quite a calm attitude and the peace was maintained very well.

"In Canton and vicinity, I have never heard of such places as Hsihupan, Wuyenchiao, Shasia, Shaipuchang, Hopien, Fucheng, Hsuehkung, Hsiencheng, Chaohsian, Peimenwai, Hsimenkou, Paisha, etc.

"If anything special had taken place in connection with the Japanese Army, I must have heard of it as I was the chief of intelligence. Even the matter which concerned the life of a Chinese was to be reported to the army without exception, but I have no remembrance of receiving any such report at that time.

"I positively deny the fact that about 2,000 citizens were massacred by the Japanese Army at that time. Not only the commander but the leading staff of the army were extremely strict on military discipline and repeatedly warned their subordinates to treat kindly the Chinese people, to respect the customs of the Chinese and not to interfere with the Chinese authorities. To the general soldiers, they showed such a brief motto as, 'Do not burn, do not kill and do not plunder,' and tried utmost to make it pervade the whole army that scarcely anyone

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SHIMODA

DIRECT

27,532

1 disobeyed it.

2 "Therefore, if the Japanese Army had ever
3 massacred a Chinese, it would have been taken up as
4 the serious problem of the army.

5 "The rumor that 2,000 Chinese people were
6 massacred was merely a fiction and I definitely assert
7 that such a thing did not take place while I served
8 in the 23rd Army.

9 "On this 27th day of June, 1947."

10 Cross-examine.

11 MR. SAKAMOTO called witness OKABE,
12 witness, whose affidavit is defense document 2240.
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MR. SAKAMOTO, called as a witness on behalf
of the defense, being first duly sworn, testified
through Japanese interpreters as follows:

18 DIRECT EXAMINATION

19 BY MR. SAKAMOTO:

20 Q. Mr. OKABE, will you give us your full name
and address?

21 A. My name is OKABE, address my address: 24
Shinjuku, Shinjuku-ku, Tokyo.

22 Q. MR. SAKAMOTO has the witness see defense
23 document 2240?

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1 THE PRESIDENT: Mr. Sutton.

2 MR. SUTTON: May it please the Tribunal, we
3 respectfully draw the attention of the Tribunal to
4 the eye-witness account appearing in exhibit 351,
5 record, page 4649. We also refer the Tribunal to
6 exhibit 350, record, page 4648.

7 We do not desire to cross-examine the witness.

8 MR. FREEMAN: May the witness be excused?

9 THE PRESIDENT: He is excused on the usual
10 terms.

11 (Whereupon, the witness was excused.)

12 MR. FREEMAN: I next call witness OKABE,
13 Eiichi, whose affidavit is defense document 2240.

14 - - -

15 E I I C H I O K A B E, called as a witness on behalf
16 of the defense, being first duly sworn, testified
17 through Japanese interpreters as follows:

18 DIRECT EXAMINATION

19 BY MR. FREEMAN:

20 Q Mr. OKABE, will you give us your full name
21 and address?

22 A My name is OKABE, Eiichi; my address: 24
23 Shimizu-cho, Suginami-ku, Tokyo.

24 MR. FREEMAN: May the witness see defense
25 document 2240?

1 Q Mr. OKABE, is that your affidavit and have
you signed it?

2 A Yes, this bears my signature.

3 Q Are the contents therein true and correct?

4 A They are absolutely correct.

5 MR. FREEMAN: I offer in evidence defense
6 document 2240.

7 THE PRESIDENT: Admitted on the usual terms.

8 CLERK OF THE COURT: Defense document 2240
9 will receive exhibit No. 3084.

10 (Whereupon, the document above
11 referred to was marked defense exhibit
12 No. 3084 and received in evidence.)

13 MR. FREEMAN: I shall read into evidence
14 exhibit 3084, beginning with the second paragraph:

15 "I was selected as managing director of the
16 Manchurian Aircraft Manufacturing Co. Ltd. in December
17 1944. This company was the only airplane manufacturing
18 company in Manchuria, and its head office and main
19 factory were in Mukden.

20 "Next to the main factory there was the
21 factory of the Manchurian Machine-Tool Manufacturing
22 Company where machine-tools were manufactured, and
23 several American or British prisoners of war were
24 working there. I was told that there were some who had

1 high technical ability among them. While no prisoners
2 of war were working in my factory, I asked the reason
3 of the man who was in charge of the workers. He
4 answered, 'We inquired, about the employment of
5 prisoners of war, unofficially of a staff officer
6 of the Kwantung Army before you came here. The staff
7 officer replied that we can't let the prisoners of
8 war work in airplane manufacturing work according to
9 international law. This is the reason why we don't
10 employ them!'"--

11 THE PRESIDENT: You do not want that last
12 sentence there, do you?

13 MR. FREEMAN (Continuing): "At this answer
14 I first learned of the limitation of international
15 law and the Kwantung Army's attitude toward the treat-
16 ment of prisoners of war which carefully observed
17 the limitations of international law.

18 "18 February 1947."

19 THE PRESIDENT: We will have to decide that
20 with or without objection.

21 COLONEL MORNANE: There will be no cross-
22 examination of this witness, if the Tribunal please.

23 MR. FREEMAN: May the witness be excused?

24 THE PRESIDENT: He is excused on the usual terms.
25 (Whereupon, the witness was excused.)

IKEJIRI

DIRECT

27,536

1 MR. FREEMAN: I next call the witness
2 IKEJIRI, Satoshi whose affidavit is defense document
3 256.
4 - - -
5 S A T O S H I I K E J I R I , called as a witness
6 on behalf of the defense, being first duly sworn,
7 testified through Japanese interpreters as follows:

8 DIRECT EXAMINATION

9 BY MR. FREEMAN:

10 Q Mr. IKEJIRI, will you give us your full name
11 and address?

12 A My name is IKEJIRI, Satoshi. My address is:
13 25 3-chome, Kaigan-dori, Ikuta-ku, Kobe.

14 MR. FREEMAN: May the witness be shown
15 defense document 256?

16 Q Is that your affidavit and have you signed it?

17 A Yes.

18 Q Are the contents therein true and correct?

19 A Yes; however, there is a correction I should
20 like to make in the first paragraph.

21 Q Will you make that correction?

22 A I shall. After the end of paragraph 1, please
23 insert: "I am now working in the Kobe office of Kita-
24 zawa Shoji Kabushiki Kaisho, 25 3-chome, Kaigan-dori,
25 Ikuta-ku, Kobe."

1 MR. FREEMAN: If the Tribunal please, I
think that insertion is unimportant.

2 THE PRESIDENT: It is necessary to state the
3 fact. It contradicts the previous sentence.

4 MR. FREEMAN: I offer in evidence defense
5 document 256 as corrected by the witness.

6 THE PRESIDENT: Admitted on the usual terms.

7 CLERK OF THE COURT: Defense document 256
8 will receive exhibit No. 3085.

9 (Whereupon, the document above
10 referred to was marked defense exhibit
11 No. 3085 and received in evidence.)

12 MR. FREEMAN: I read into evidence exhibit
13 3085 as corrected, beginning with paragraph 1:

14 "I) I was a major in the army. I arrived
15 at my post as adjutant of the army in the Burma Area
16 on May 5th in the 19th year of Showa (1944). Since
17 then until August 15th in the 20th year of Showa (1945)
18 I remained at the same post. Demobilized on July 21st--

19 THE PRESIDENT: Omit the rest of it.

20 MR. FREEMAN: "II) In the middle of
21 September in the 19th year of Showa (1944) General
22 KIMURA Heitaro arrived at his post as Commander of the
23 Army in the Burma Area and ever since then until the
24 termination of the war, I took office as adjutant to

IKEJIRI

DIRECT

27,538

1 him.

2 "III) My main duties as adjutant in the Army
3 of the Burma Area were: The handling of correspond-
4 ence, books and confidential documents, affairs con-
5 cerning awards, the handling of documents concerning
6 prisoners of war and internees, etc.

7 "IV) Concerning the treatment of POWs
8 during the construction of the Siam-Burma railway,
9 the Headquarters of the Burma Area Army had no connec-
10 tion at all, and moreover it was a year after the
11 railway construction had been completed that General
12 KIMURA arrived at his post as Commander of the Army
13 in the Burma Area.

14 "V) The Rangoon P.W. Camp was one of the
15 branches of the Malay P.W. Camp, and so came under the
16 control of the Commander of the combined Southern Army.
17

18 "The chief of the Rangoon P.W. Camp was
19 appointed and removable by the chief of the Malay P.W.
20 Camp. That is to say, although the chief of the Ran-
21 goon P.W. Camp and two non-commissioned officers
22 formed the staff of that camp, they were dispatched
23 from the Malay P.W. Camp. The army surgeon and the
24 requisite number of guards were dispatched from the
25 73d Headquarters of Line of Communications of the
Burma Area Army and were under the command of the

IKEJIRI

DIRECT

27,539

camp commander.

"VI) In the Army internment camp in Tavoy, civilians of hostile nations (except POWs) were held, and they were under the control of the commander of the 24th Mixed Brigade, which was under the Burma Area Army.

"VII) General KIMURA Heitaro, Commander of the Burma Area Army, always directed his subordinates to treat the POWs and internees with benevolence and never to insult nor mistreat them but to treat them fairly, observing the articles.

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1 "VIII) The conditions and the treatment of
2 the POWs in the Rangoon POW Camp, while General
3 KIMURA occupied the post of Commander of the Army
4 in Burma, were approximately as follows:

5 "a) The camp, former Rangoon prison, was a
6 permanent building, fully equipped for living and
7 sanitation with dispensary, sick rooms, showers,
8 kitchen, exercise yard, etc. The equipment of the
9 internment camp was also in good condition.

10 "b) Of the POWs the healthy men of the
11 rank of noncommissioned officers and below were
12 sometimes ordered to work when necessary, but the
13 patients were allowed to rest within. The type of
14 labor they performed was mainly work at the wharf
15 and odd jobs in the supply departments and at their
16 camp.

17 "c) POWs were allowed to rest not only on
18 Sundays but also on the public holidays of their
19 countries. Additional supplies were provided to
20 them from time to time.

21 "d) POWs of the rank of warrant officer
22 and above sometimes, of their own volition, in order
23 to take exercise, came to the working places and
24 gave directions and supervised the POWs engaged in
25 their work.

IKEJIRI

DIRECT

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1 "e) The POWs were made to run a farm by
2 utilizing the vacant land within the camp and they
3 were also made to raise livestock by issuing to them
4 cows, pigs, goats, ducks, etc., from official depots
5 for the purpose of obtaining fats. The surplus crops
6 of their farm were sold on the Rangoon market and
7 the receipts became their income, and were allowed to
8 be appropriated for the purchase of luxuries at the
9 market.

10 "f) We occasionally sent the military band
11 belonging to the Burma Area Army to that camp for
12 the entertainment of the POWs.

13 "g) As for amusements, we equipped the
14 camp with a piano, books, etc., making our utmost
15 effort to give what comfort we could within the
16 limitations of the locality.

17 "h) The prisoners were also allowed to
18 obtain goods at the camp canteen to a reasonable
19 extent and they bought a considerable amount of
20 cigarettes, milk, etc.

21 "i) I never heard of any case of mis-
22 treatment of the POWs during General KIMURA's stay
23 at that post.

24 "I only remember that we reprimanded some
25 of them on several occasions at the request of

IKEJIRI

DIRECT

27,542

1 Brigadier-General Hobson, their senior officer,
2 for their lack of obedience to his commands.

3 "j) Both Brigadier-General Hobson and
4 Major Loring, British officers representing the
5 POWs on one or two occasions presented letters of
6 thanks to the camp commander for the fair treat-
7 ment of the POWs and twice to the chief of the
8 camp, regarding the fair treatment of the POWs.

9 At the end of April in the 20th year of Showa (1945),
10 on the occasion of the withdrawal of the Japanese
11 Army from Rangoon, we told them that they would be
12 released, whereupon these two officers delivered a
13 letter of thanks to the chief of the camp. I have
14 not heard of the two officers since then.

15 "k) The treatment of the internees in the
16 army camp in Tavoy was also in accordance with the
17 provisions and I got no report of any particular case
18 of mistreatment. Letters of thanks were presented
19 to the chief of the camp as many as seven or eight
20 times.

21 "l) In brief, while General KIMURA was in
22 office, we had but very scanty supplies from the rear
23 and the materials were running short; nevertheless,
24 we made as much effort as possible for the good
25 treatment of the POW internees.

1 "The facts above-mentioned are based upon
2 the reports from the Headquarters of the 73rd Line of
3 Communications and the Headquarters of the 24th Mixed
4 Brigade, and upon my recollections of information
5 from Captain SHIRAKAWA, the former adjutant of the
6 73rd Line of Communications Headquarters.

7 "This 27th day of November, 1946."

8 You may cross-examine.

9 THE PRESIDENT: Colonel Mornane.

10 CROSS-EXAMINATION

11 BY COLONEL MORNANE:

12 Q Witness, which prisoner of war camps were
13 under the control of the Burma Area Army?

14 A Rangoon prisoner of war camp.

15 Q That is, under the command of the accused,
16 General KIMURA?

17 A The Rangoon prisoner of war camp was not
18 under the direct command of General KIMURA.

19 Q Captain, the camp commander was TAZUMI,
20 Genzo, was it not?

21 THE INTERPRETER: Could you spell the name,
22 Colonel Mornane?

23 COLONEL MORNANE: Yes, certainly.

24 T-A-Z-U-M-I, G-e-n-z-o.

25 A Yes.

Q And he was attached to the Burma Area Army?

A He was dispatched from Malaya to become camp commander at Rangoon.

Q He was then placed under control of the 73rd Line of Communications sector, or Rangoon Line of Communications, was that so?

8 A That is so. However, he was under the
9 control of the prisoner of war camp commander at
10 Malaya, and in all matters regarding -- and in all
11 important matters received the orders of this com-
12 mander.

13 Q If TAZUMI says that he was directed by the
14 commander of the Burma Area Japanese Army in connec-
15 tion with the execution of the business of the camp,
16 would you agree with it?

17 THE WITNESS: Will you repeat that question
18 again, please?

19 (Whereupon, the question was
20 repeated by the Japanese interpreter.)

A I would deny that.

Q You would deny that? Well now, with
regard to the Rangoon prisoner of war camp, what was
your connection with it?

A I was the liaison officer in matters

1 regarding security and supplies. Also, whenever
2 reports came into our headquarters I conveyed them
3 to the prisoner of war camp.

4 THE MONITOR: My connection with the POW
5 camp was that I acted as liaison officer in matters
6 regarding food supplies and matters of security and
7 all documents which were to be reported to the
8 camp commander in Malaya. A copy of these reports
9 were also given to the Burma headquarters also, and
10 it was my duty to handle these documents. However,
11 all these reports came to our headquarters through
12 the 73rd Line of Communications.

13 Q The 73rd Line of Communications was under
14 the command of General KIMURA?

15 A Yes.

16 Q Well now, you have given us a fairly long
17 description of the conditions at the Rangoon prisoner
18 of war camp. Did you ever see the camp yourself?

19 A I never saw the camp until the conclusion
20 of hostilities.

21 Q Now, with regard to that description, is
22 that your recollection of correspondence you saw at
23 the time?

24 A Yes, through documents and from what I
25 directly heard from the adjutant of the 73rd Line of

Communications, Captain SHIRAKAWA.

1 Q That is, you got all your information
2 prior to the time of the surrender of the Japanese
3 forces?

4 A Yes.

5 Q And you kept no written record of it?

6 A Do you mean me?

7 Q Yes, I mean you.

8 A I did not keep a record.

9 Q And since that time you have seen no
10 record of it?

11 A After the end of the war I saw the docu-
12 ments and report of the 73rd Line of Communications
13 and of the 24th Mixed Brigade.

14 Q When was that?

15 A Although I have no exact recollection, I
16 believe that it was toward the end of 1945.

17 Q And that is the last time you have seen the
18 document?

19 A Yes.

20 Q Therefore, the description given in the
21 affidavit is from your unassisted memory?

22 A Yes.

23 Q Now, who was responsible for the medical
24 supplies and medical treatment at the Rangoon Jail?

1 A I believe that it was the responsibility of
2 the Rangoon camp commander to distribute these
3 supplies -- of the branch camp commander at Rangoon.

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Q But, who was supposed to provide the supplies
for him?

A That was done by the 73rd Line of
Communications -- by the Headquarters of the 73rd
Line of Communications.

Q And the final responsibility was with the
Burma Area Army to provide those supplies for the
73rd Line of Communication?

MR. FREEMAN: If the Tribunal please, I was
wondering who is testifying here. He is making the
statements.

THE PRESIDENT: That is nonsense. That was a
question.

(Whereupon, Mr. Freeman's statement was
requested by the official court reporter.)

MR. FREEMAN: I just stated "If the Tribunal
please, I wonder who was testifying now. It seems to
me to be a statement by the prosecutor."

THE PRESIDENT: The Court regarded it as a
question following on the previous answer.

BY COLONEL MORNANE (Continued):

Q Could I have the answer to that question?

A The medical and food supplies came from the
supply depot of the Burma Area Army and this supply
depot was under the jurisdiction of the Burma Area Army.

The responsibility probably lies with that army -- with that headquarters. However, although the headquarters did control this supply depot, it had no knowledge of the actual requests made to that supply depot for supplies, and the actual amount of supplies supplied in compliance with those requests.

Q Well, now, when did you return to Japan?

A On the 21st of July, last year.

Q Do you know that the Commander of that camp was tried by a war tribunal for mistreatment of prisoners?

A Yes.

(Whereupon, Mr. Howard approached the lectern.)

THE PRESIDENT: Mr. Freeman will take any objections.

Mr. Freeman,

MR. FREEMAN: I think the question, if your Honor please, is without the scope of this affidavit.

THE PRESIDENT: It is clearly within the scope.
Objection overruled.

At this stage, Colonel Mornane, I take it you are offering all this evidence, as to what you allege went on in prison campos, against all the accused.

COLONEL MORNANE: That is so, if it please

the Tribunal.

I didn't get the answer to that question.

THE PRESIDENT: Did he know that a certain person had been convicted.

COLONEL MORNANE: Had been tried, I think.

THE PRESIDENT: Had been tried.

THE MONITOR: The answer was "Yes."

BY COLONEL MORNANE (Continued):

Q "Yes." And do you know the result of that trial?

A I cannot say anything definite on that point. I can only tell you what I heard from other people.

Q Did you give evidence at that trial?

A Yes, I did.

Q And you know that at that trial the accused TAZUMI was charged as being a party to ill-treatment resulting in the deaths of 17 prisoners of war at Rangoon Prison Camp?

A I do not know well of the details of that matter.

Q Do you know that Lieutenant ONISHI was also charged at that time?

A Yes. That is Medical Captain ONISHI.

1 Q And, do you know that he gave evidence that
2 he was exceedingly short of medical supplies?

3 A Since I had nothing to do with ONISHI's
4 testimony, I do not know.

5 Q Well, now, apart from the Rangoon Camp, were
6 there any other camps under the control of the Burma
7 Area Army?

8 A No.

9 Q Well, I suggest to you that the prisoner of
10 war camp at Tavoy was under the control of the Burma
11 Area Army.

12 A The Tavoy Camp was not a camp for prisoners
13 of war but for civilians who were interned.

14 Q I see. Well, was that civilian internee
15 camp at --

16 THE PRESIDENT: Was that internee camp what?

17 Q Was that civilian internee camp under the
18 control of the Burma Area Army?

19 A Yes.

20 Q Well, now, with regard to Moulmein, were there
21 any camps there?

22 A No.

23 Q Moulmein is very close to Rangoon, is it not?

24 A Yes, it is near.

25 Q It is near. The general district is Moulmein?

1 A No, Rangoon and Moulmein are separate.

2 Q But, there are no prisoner of war camps at
3 Moulmein?

4 A No.

5 Q Did you ever, as an officer handling corres-
6 pondence in relation to prisoners of war, receive an
7 official communication inquiring into the conditions
8 of prisoners of war in Moulmein camps?

9 MR. FREEMAN: If the Tribunal please, he
10 just stated that there were no camps at Moulmein.
11 That is my understanding, and I believe he is asking
12 about correspondence.

13 A No.

14 MR. FREEMAN: It is outside the scope of this
15 affidavit,

16 COLONEL MORNANE: The question, if the Tri-
17 bunal please, is in relation to exhibit 2022, part 20,
18 from the Foreign Office to the Swiss minister and re-
19 fers to the situation of prisoners of war in Moulmein
20 camps, and it is quite possible that the term "Moulmein"
21 is used quite loosely over here, whereas "Rangoon" is
22 meant.

23 THE PRESIDENT: I do not think we would be
24 justified in holding that this affidavit is confined
25 to Rangoon. On my reading of it, it is very indefinite.

1 It says more about Rangoon than any other camp.

2 COLONEL MORNANE: I understand, sir, that the
3 witness has answered, "No," to the question and there-
4 fore --

5 BY COLONEL MORNANE (Continued):

6 Q Now, with regard to Mergui, did that come
7 under the control of the Burma Area Army?

8 A No.

9 Q That is part of Burma?

10 A It was outside the area of jurisdiction of
11 the Burma Area Army.

12 Q How far south did the jurisdiction of the
13 Burma Area Army extend?

14 A I recall that it was just a little further
15 south of Tavoy.

16 THE PRESIDENT: We will recess for fifteen
17 minutes.

18 (Whereupon, at 1045, a recess was
19 taken until 1100, after which the proceed-
20 ings were resumed as follows:)

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MARSHALL OF THE COURT: The International
Military Tribunal for the Far East is now resumed.

THE PRESIDENT: Colonel Mornane.

BY COLONEL MORNANE:

Q Witness, in handling the prisoner of war cor-
respondence did you ever receive reports of the death
of prisoners?

A I have. I believe there were two or three
cases, but I do not recall definitely.

Q Then I will now remind you. In March of 1945
did you receive a report of the deaths of Lieutenant
P. F. Almond of the United States Air Force and
Sergeant Jack King of the Royal Air Force?

A Since I did not take my post with the Burma
Area Army until May 1944, I have never seen such a
document.

Q I think you misunderstood the question. It
was March of 1945.

A I don't recall having seen any documents
relating to this.

Q Well then when you did see reports of deaths
of prisoners of war at your headquarters, did you cause
any inquiries to be made as to the cause of the deaths?

A No.

Q Just one further question. Did you see the

1 letters alleged to have been written by Brigadier
2 Hobson and Major Loring?

3 A No.

4 Q Did you make any efforts to have them duplic-
5 ated for production at the trial of Captain TAZUMI?

6 A Yes.

7 Q What efforts did you make?

8 A I made efforts so that these would be produced
9 for the counsel for TAZUMI at his trial.

10 THE PRESIDENT: Did you discover what happen-
11 ed to the letters?

12 THE WITNESS: No.

13 COLONEL LORNAME: I would like to refer the
14 court to the following portions of prosecution evidence:

15 Exhibits 1555 at page 12,991;

16 1557 at page 12,993;

17 1558 at page 12,994;

18 these in relation to the Tavoy Camp;

19 Exhibit 1583 at page 13,102,

20 in relation to Rangoon Gaol; and

21 Exhibit 2022, parts 10, 14, 20 and 22,
22 at pages 14,754 et seq. in relation to protests.

23 We have a report from the prosecution language
24 section suggesting that words have been left out.

25 THE PRESIDENT: Refer to Major Moore and save

1 time.

2 COLONEL MORNANE: Yes, sir.

3 THE PRESIDENT: Mr. Freeman.

4 REDIRECT EXAMINATION

5 BY MR. FREEMAN:

6 Q Mr. IKIJIRI, in reporting the death of a sold-
7 ier or a prisoner of war, would the cause of death ac-
8 company the report?

9 A Yes, it is so reported.

10 MR. FREEMAN: May the witness be excused?

11 THE PRESIDENT: He is excused on the usual
12 terms.

13 (Whereupon, the witness was excused.)

14 (Whereupon the witness spoke in Japanese.)

15 THE PRESIDENT: Take him out. He can be re-
16 called if necessary. I don't know what he is going
17 to say.

18 MR. FREEMAN: I next call the witness SAKURAI,
19 whose affidavit is defense document 1871.

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1 T O K U T A R O S A K U R A I, called as a witness
2 on behalf of the defense, being first duly sworn,
3 testified through Japanese interpreters as follows:

DIRECT EXAMINATION

5 | BY MR. FREEMAN:

6 Q Mr. SAKURAI, will you give us your full name
7 and address?

A My name is Tokutaro SAKURAI. My address is
Tsuno-machi Koyu-gun, Miyazaki Prefecture.

10 MR. FREEMAN: May the witness be shown defense
11 document 1871?

12 (Whereupon, a document is shown to the
13 witness.)

Q Is that your affidavit, and have you signed it?

15 A Yes.

16 Q Are the contents therein true and correct?

17 A Yes.

18 MR. FREEMAN: I offer in evidence defense doc-
19 ument 1871.

THE PRESIDENT: Admitted on the usual terms.

CLERK OF THE COURT: Defense document 1871
will receive exhibit number 3086.

23 MR. FREEMAN: I shall read into evidence exhib-
24 it 3086, beginning with paragraph 1:

"I. SAKUBA, Tokutaro, ex-major general,

SAKURAI

DIRECT

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1 was born June 21, 1897. My present address is Tsuno-
2 Machi Koyu-gun, Miyazaki Prefecture. I was in charge
3 of defense of the Akyab area on the India and Burma
4 border as commander of the Infantry of the 55th Divis-
5 ion from September, 1943 to February, 1945. Then I
6 served as chief advisor to the Burmese National Defense
7 Army. Immediately after the Burmese National Defense
8 Army rose in revolt, I was ordered to be attached to
9 the Infantry School on 5 April 1945. Later I became
10 divisional commander and remained so until the end of
11 hostilities.

12 "2. It was after the military operation of
13 Imphal which ended in failure, in mid-September 1944
14 that General KIMURA came into office. As the commander
15 of the SAKURA Detachment, I took command of a force
16 numbering about 3,700 consisting of three infantry
17 battalions, one artillery battalion and one cavalry
18 regiment, as its nucleus and was in charge of the
19 frontal defense of Akyab, while the main force of the
20 55th Division moved to the Bassein area.

21 "3. General KIMURA, after he assumed office,
22 especially stressed and advised that we should strive
23 to win the confidence of the people, to enforce strict
24 military discipline and to raise the morale of the men.
25 Later he delivered instructions several times to the

SAKURAI

DIRECT

27,559

1 same effect. In compliance with his instructions, we
2 brought it home to our subordinates that very strict
3 military discipline was the best way to win the confid-
4 ence of the people. We did our utmost to behave as
5 prudently as possible, so military discipline was
6 very strictly maintained.

7 "4. General KIMURA was so earnest about the
8 promotion of friendship and harmony between the Japan-
9 ese army and the Burmese and the stabilization of the
10 latter's livelihood that he had his subordinates com-
11 pile a pamphlet entitled "The Attitude to Take Towards
12 the Burmese", and distributed them to the members of
13 units under his command.
14

15 Japanese Army particularly respected
16 and protected the people of the Burma, so that they
17 were very much in harmony with the inhabitants. The
18 Japanese said that as far as the soldiers who came from
19 themselves could help it and they did stand
20 busy along the border when the enemy landed, they
21 reported it to the general of signals and the like.
22 Once the village houses in the neighborhood of which
23 were killed in action while protecting the landing
24 of the enemy.
25

SAKURAI

DIRECT

27,560

"We guided our subordinates on the basis of
1 this pamphlet. Because of this, all the men in my
2 garrison area behaved themselves well, adhering rigid-
3 ly to 'The Attitude to Take Towards the Burmese',
4 and there was not a single case in which the Burmese
5 were persecuted or maltreated. In addition, in order
6 to raise the standard of the people's living, we made
7 and gave agricultural implements, hatchets and boats to
8 them, so that they were extremely grateful to us.
9

Friendly relations between the Japanese and Burmese
10 was very strong. Therefore, they were willing to help
11 us with transportation in the rear areas and in the
12 transportation of provisions and the sick even at the
13 front voluntarily.

"The Japanese Army particularly respected
15 and protected the religion of the Burmese, so that they
16 were very much in harmony with the inhabitants. The
17 Burmese said that so far as the seashore was concerned
18 they themselves would defend it and they did guard
19 duty along the beach. When the enemy landed, they
20 reported it to us by means of signals and the like.
21 Once the village headman in the neighborhood of Inten
22 was killed in action while obstructing the landing
23 of the enemy.

"5. In February 1945, I left Akyab for Ran-
25 goon to become the chief advisor to the Burmese Nat-

SAKURAI

DIRECT

27,560

"We guided our subordinates on the basis of
1 this pamphlet. Because of this, all the men in my
2 garrison area behaved themselves well, adhering rigid-
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"The Japanese Army particularly respected
15 and protected the religion of the Burmese, so that they
16 were very much in harmony with the inhabitants. The
17 Burmese said that so far as the seashore was concerned
18 they themselves would defend it and they did guard
19 duty along the beach. When the enemy landed, they
20 reported it to us by means of signals and the like.
21 Once the village headman in the neighborhood of Inten
22 was killed in action while obstructing the landing
23 of the enemy.
24

"5. In February 1945, I left Akyab for Ran-
goon to become the chief advisor to the Burmese Nat-

1 ional Defense Army. Circumstances in the Rangoon area
2 were different and public peace was not as good as in
3 the Akyab area. At that time the main forces of the
4 Burmese National Defense Army were located in Henzada,
5 while powerful units were stationed in the vicinity
6 of Toungoo, Pegu and Thaton.

7 "On 15 March 1945, our army and the Burmese
8 National Defense Army concluded an operational agree-
9 ment and our army celebrated, holding a ceremony for
10 their going out into the field. However, Burmese
11 National Defense Army suddenly rose in revolt against
12 us, at the end of March 1945, as the conditions of our
13 Army became worse and worse day by day, not to mention
14 the propaganda of the Anglo-Indian Army. With the
15 sudden change of situation, I called on the Commander
16 in Chief of the Burma Area Army, KIMURA, immediately,
17 and talked it over with him regarding how to handle
18 it. General KIMURA, after considering the former
19 friendly cooperation between the Japanese Army and the
20 Burmese and their standpoint, ordered me that our Army
21 absolutely must not take any revengeful action against
22 them. Furthermore, he ordered that we must protect
23 all those who would pledge allegiance without regard
24 to their past and carry out only the minimum punitive
25 action necessary from the standpoint of operations."

1 You may cross-examine.

2 THE PRESIDENT: Colonel Mornane.

3 CROSS-EXAMINATION

4 BY COLONEL MORNANE:

5 Q What was this Burmese National Defense Army,
6 witness?

7 A It was an army led by General Aung San,
8 organized by the Burmese people themselves.

9 Q But surely a number of the officers of this
10 army were Japanese?

11 A The officers were all Burmese.

12 Q No Japanese officers at all?

13 A There were a few liaison officers.

14 BY THE PRESIDENT:

15 Q Why did the army revolt?

16 A As I stated before, the situation in Burma
17 for the Japanese army had steadily grown worse, and
18 also there was constant propaganda from the enemy
19 side, and that is why the army revolted -- the Burmese
20 army revolted.

22 Q And this Burmese National Defense Army was
23 formed before you went to Burma, I take it?

24 A The army had been organized before I had
25 arrived in Burma, and after I became the supreme ad-
visor to this army I was only connected with this army

1 for a very short period.

2 Q Now, you refer to Henzada as the location of
3 the main forces of the Burmese National Defense Army.
4 After they revolted you drove them out of Henzada?

5 A The main force of the army at the time of the
6 revolt was at Henzada.

7 THE INTERPRETER: The Burmese National De-
8 fense Army left Rangoon in a body, and at the time of
9 the revolt the main strength of the army was in the
10 neighborhood of Henzada.

11 Q But you yourself drove them out of Henzada?

12 A First I was in Henzada with the main force
13 of the Burma army. Three days after the revolt, since
14 no word had been received I returned to Rangoon.

15 Q Subsequently the Japanese occupied Henzada?

16 A Yes.

17 Q And the Japanese were in possession of Hen-
18 zada in April and May of 1945?

19 A By that time I had already been transferred.
20 I had been transferred to the inventory school and was
21 not then in Burma.

22 COLONEL MORNANE: I would draw the Tribunal's
23 attention to exhibits 1543 and 1544, at pages 12,973
24 and 12,974, in relation to happenings at Henzada.

25 THE PRESIDENT: Mr. Freeman.

1 for a very short period.

2 Q Now, you refer to Henzada as the location of
3 the main forces of the Burmese National Defense Army.
4 After they revolted you drove them out of Henzada?

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6 revolt was at Henzada.

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22 COLONEL MORNANE: I would draw the Tribunal's
23 attention to exhibits 1543 and 1544, at pages 12,973
24 and 12,974, in relation to happenings at Henzada.

25 THE PRESIDENT: Mr. Freeman.

1 MR. FREEMAN: I next offer in evidence --

2 THE PRESIDENT: Before the witness leaves the
3 box --

4 MR. FREEMAN: Oh, may the witness be excused?

5 THE PRESIDENT (continuing): there are three
6 questions I want to put to him.

7 BY THE PRESIDENT:

8 Q Did the men revolt against their officers?

9 A The Burmese soldiers did not revolt against
10 their own Burmese officers.

11 Q Well, did they revolt against the Japanese
12 officers?

13 A Among the Japanese liaison officers there
14 were some who were killed; some escaped.

15 Q Did the whole army revolt against the Japanese?

16 A Although I was actually with that army for
17 three days after the revolt, I saw no signs of them
18 desiring to revolt against myself personally.

19 THE PRESIDENT: The witness is excused on the
20 usual terms.

21 (Whereupon, the witness was excused.)

22 MR. FREEMAN: I next offer in evidence inter-
23 rogation of Captain TAZUMI, which is defense document
24 1806.

25 THE PRESIDENT: Admitted on the usual terms.

1 CLERK OF THE COURT: Defense document 1806
2 will receive exhibit No. 3087.

3 (Whereupon, the document above referred
4 to was marked defense exhibit 3087 and received
5 in evidence.)

6 MR. FREEMAN: I shall now read exhibit 3087.

7 "My name is TAZUMI, Genzo. I was a captain
8 attached to the Burma Area Japanese Army.

9 "Q Were you the Commander of the POW Camp of
10 Rangoon in Burma at the time when General KIMURA,
11 Heitaro was the Commander of the Burma Area Japanese
12 Army?

13 "A Yes.

14 "Q Was the Commander of the POW Camp of Rangoon
15 receiving orders and directions from the POW Camp of
16 Malay? *****

17 "A Although the Commander of the POW Camp of
18 Rangoon was subject to the Commander of the POW Camp
19 of Malay, the former was being ordered and directed
20 by the Commander of the Burma Area Japanese Army in
21 connection with the execution of business.

22 "Q Did the Commander of the Burma Area Japanese
23 Army give orders and directions to you while you were
24 holding office as the Commander of the POW Camp of
25 Rangoon?

1 "A The Commander of the POW Camp of Rangoon,
2 no sooner than taking over the former Field POW Camp
3 of Rangoon as the 6th Detachment of the POW Camp of
4 Malay, was placed under the command of the Commander
5 of the Burma Area Japanese Army on 15 March 1944, and
6 the latter in turn put me under the control of the
7 Commander of the 73rd Line of Communications Sector
8 of the Rangoon Line of Communication Department.
9 Accordingly, it was that the Commander of the POW Camp
10 of Rangoon received the immediate command, orders and
11 directions from the Commander of the 73rd Line of
12 Communications Sector.
13

14 "Q Had the General Headquarters of the South Area
15 Japanese Army ever given any orders or directions to
16 the Camp of Rangoon? If so, when and how far was it?
17 Explain in detail.
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Greenberg &

Barton

1 There is an errata sheet: "Answer: No,
2 they had not."

3 If the Tribunal please, there is an errata
4 sheet giving the answer: "No, they had not."

5 THE PRESIDENT: Yes, we have the sheet. It
6 is the last one.

7 MR. FREEMAN: (Continuing reading).

8 "Q Were there any POW's who were sent from the
9 Rangoon Camp out to the other camps? Explain it.

10 "A There were none, so far as European POW's
11 are concerned. I remember it was toward the end of
12 1944 when I was once ordered to send 1st Lieutenant
13 Peacock of the British Navy to Japan proper, but as
14 he was taken ill on the way he was sent back to the
15 camp. As for the Indian POW's, we transferred about
16 100 of them about January 1945 to the HIKARI organ
17 as required personnel for the Indian National Army.

18 "Q Explain in detail about the health and sanitary
19 conditions of the POW's and their clothing, food
20 and housing conditions.

21 "A (a) State of health and sanitary conditions --
22 As for the POW'S state of health, there was a big difference
23 in the degree of health among the POW's themselves.
24 In other words, those who had excellent
25 health always kept up the same conditions, and those

1 who were of poor build were constantly weak and fell
2 ill and no sooner than they left the hospital they
3 would again enter the hospital. Judging from the
4 number of patients it could not be said to be good.
5 However, after around July 1944 the number of pa-
6 tients gradually decreased and the health of POW's
7 took an upward trend. Jungle sores which were very
8 frequent at the time of the taking over was almost
9 completely cured by around August 1944. The ad-
10 vance of health was more remarkable for the Indians
11 than for the Europeans. On the other hand, in spite
12 of various efforts made it was impossible for us to
13 see that the number patients of beriberi was notably
14 reduced. As for the communicative diseases, two
15 slight cases of smallpox had broken out around April
16 1944 but was completely cured immediately. I think
17 it was in the middle of April when cholera suddenly
18 broke out and there were about 10 genuine cholera
19 cases. As a result of our utmost efforts to prevent
20 the spreading it was put to an end before becoming
21 serious. As for the hygienic conditions in general
22 in the camp, it was impossible for us to keep them
23 in a satisfactory condition on account of the short-
24 age of medicine and inadequate equipment, but I con-
25 sider that generally speaking the general hygienic

1 situation in the camp was in good condition owing
2 to sensible attentions and efforts of both camp staffs
3 and POW's.

4 "(b) Food, clothing and housing.

5 "Though clothing was not so good, as compared
6 with that of Changie and other places, of which I
7 had previously been in charge, I was able to main-
8 tain the ordinary condition by getting Japanese
9 goods for replenishment from time to time. As for
10 eating, to which I as well as the staff had made the
11 utmost efforts, I firmly believe that we did furnish
12 a good supply to POW's. It is supposed that boiled
13 rice was not liked by the European POW's as a regular
14 diet, but that could not be helped. Instead, we
15 made every possible effort to obtain fresh meats
16 and eggs for them. Housing was bare-looking itself
17 because we appropriated a bare prison for the camp.
18 The furniture and fixtures also were poorly equipped.
19 However, with the small number of prisoners received
20 and sufficient space for living, POW's were able to
21 house at ease.

22
23 "Q How many hours a day had the POW's been
24 demanded to work?

25 "A Seven hours.

"Q Explain in detail the manner of the

1 executive staffs of the camp handling the sick and
2 wounded POW's.

3 "A As to the sick and wounded, we treated them
4 very kindly. A few examples of them are as follows:

5 "a. In case a POW was wounded at the time when
6 he was working within camp we presented a gift in the
7 name of the camp.

8 "b. Army surgeons as well as hygienic staffs
9 who were in charge of treating the sick and wounded,

10 engaged, kindly and earnestly on the duty day and
11 night. As a remarkable example, there was a case

12 of Lieutenant Peacock of the British Navy who was al-
13 ready mentioned in Answer 5. As he was scheduled to

14 be sent out to Japan proper, after leaving the camp
15 accompanied by the personnel of the Japanese Ministry

16 Police, he suddenly took ill and it became impossible
17 to make his way. Although treated in the Japanese

18 Naval Hospital for some time the progress of his
19 illness was no good. At the time when he was sent

20 back to this camp, he was in such a condition as had
21 serious difficulties in walking and could not take

22 ordinary meals, that he came back lying on a stretcher.
23 At that time Surgeon ONISHI devoted himself entirely

24 to his treatment. He also gave articles of luxury
25 at his own expense and he administered medicines of

1 his own. So all the staff of the sanitation section
2 headed by him took care of him in all kindness, car-
3 rying him out into open air in the shade of trees or
4 helping him to walk. When he returned he was so
5 haggard he could hardly be recognized and it was
6 feared that he would not recover. But his health
7 gradually improved to such a degree that he was able
8 to participate in the four successive days and nights
9 march in company with the prisoners who were lying
10 in the common mass camps, on the occasion of the
11 evacuation of the camps in April 1945.

12 "Q Were the wounded and sick prisoners pro-
13 perly treated?

14 "A Generally speaking, I think they were under
15 proper treatment. Owing to the lack of medicines
16 and equipment as well, I am not positive to say it
17 was perfect, but nothing more could be done under
18 the circumstances of that time.

19 "Q Were they demanded to labor?

20 "A No, they were not.

21 "Q What was made of the income obtained from
22 the vegetables and other products of the farms cul-
23 tivated by the prisoners and the live stock of their
24 raising?

25 "The vegetables and other products were supplied

1 them for their ration. Hogs were not raised enough
2 to meet the demand. But the fresh vegetables ran
3 into a considerable surplus which were shipped to
4 the military market with the understanding of the
5 Superintendent Department of the Area Army in ex-
6 change for the special ration of pork, eggs and cook-
7 ing oil. Those articles were added to the supply
8 of the prisoners.

9 "Q Were you answerable to General KIMURA for
10 the management of the Prison? Or did you manage and
11 supervise the said camp on your own responsibility and
12 authority?

13 "A I was responsible to the commander of the
14 73rd Commissary Section Commander for executing the
15 Burma Area Army's regulations for handling the pri-
16 soners and for supplying them as well as the service
17 regulations of the 6th Branch of the Malay Prisoners
18 Camp (namely, the Rangoon Camp), which were set forth
19 by the 73rd Commissary Sector Commander.

20 "Q Has General KIMURA ever visited or in-
21 spected the Rangoon Prison? And if he has how was
22 he impressed then?

23 "A No, he has not while I was serving there.

24 "Q If you received letters of thanks from pri-
25 soners what did you do with them? Who got the

1 letters at Singapore?

2 "A I received the letters of thanks from pri-
3 soners. But towards the end of 1945 when withdraw-
4 ing from the camps our trucks encountered enemy
5 and were burned down with all the official and pri-
6 vate things. The last letters I got on the occasion
7 of their liberation were snatched off by an unknown
8 soldier along with a black leather purse containing
9 them, when Australian soilders plundered us at
10 Singapore."

11 THE PRESIDENT: I hear that this person,
12 TAZUMI, had been tried down there as to offenses
13 relating to prisoners of war. Is he still available?

14 MR. FREEMAN: He is in Rangoon.

15 THE PRESIDENT: Yes.

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1 I next call the witness, ICHIDA, Jiro, whose
2 affidavit is defense document 284.

3 - - -

4 J I R O I C H I D A, called as a witness on behalf
5 of the defense, being first duly sworn, testi-
6 fied through Japanese interpreters as follows:

7 DIRECT EXAMINATION

8 BY MR. FREEMAN:

9 Q. Mr. ICHIDA, will you give us your full name
10 and address.

11 A. My name is ICHIDA, Jiro; my address, Showa-
12 dori, Nakama-machi, Onga-gun, Fukucka-ken.

13 MR. FREEMAN: May the witness see defense
14 document 284.

15 . (Whereupon, a document was handed
16 to the witness.)

17 Q. Is that your affidavit, and have you signed
18 it?

19 A. Yes.

20 Q. Are the contents therein true and correct?

21 A. Yes.

22 MR. FREEMAN: I offer in evidence defense
23 document 284.

24 THE PRESIDENT: Admitted on the usual terms.

25 CLERK OF THE COURT: Defense document 284

will receive exhibit No. 3089.

(Whereupon, the document above referred to was marked defense exhibit No. 3089 and received in evidence.)

MR. FREEMAN: I will now read in evidence exhibit 3089, omitting certain parts which the Language Section has:

"In April 1944, after having been employed in various departments, I was appointed Vice Chief of Staff of the Burma Area Army, which office I held till the termination of the war. I was then a Major-General. My chief duty during this period was to assist the Chief of Staff.

"It was mid September 1944 that General KIMURA, Heitaro, arrived at his post as Commander of the Burma Area Army. Our Army there had suffered a crushing defeat in the Imphal campaign with its fighting strength weakened considerably, and since about August 1943, supplies had almost ceased to come from Japan.

General KIMURA, who arrived when things were in such an unfavorable state, issued a set of instructions to all the troops under his command enjoining them strongly to maintain military discipline and to try to win the confidence of the natives. When we

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had meetings in late October and in the middle of
December 1944, and in late January 1945, the General
summoned to the Army Headquarters the staff officers
and unit commanders under his command and reminded
them most carefully of the instructions he had previ-
ously given. While in office, General KIMURA con-
stantly endeavored hard to see his instructions obeyed
thoroughly by his troops, so that the Burmese people
came to place a good deal of confidence in him.

"The General met the Burnese State Ministers
at least once or twice a month for the purpose of ex-
changing free and outspoken opinions. He welcomed the
complaints against the Japanese and in the cases that
he thought proper had the requested improvements made.
Meanwhile the war situation had been developing un-
favorably from day to day for us, entailing increasing
hardships and suffering on the part of the natives.
The General felt sorry for their plight. When we had
occasion to meet the Burmese high-ranking officials
he always expressed his gratitude for their good will
and at the same time showed sympathy for their deli-
cate circumstances. General KIMURA instructed his men
to contribute to the stabilization of living condi-
tions of the Burmese at the expense of the strategi-
cal requirements.

"General KIMURA always took pains to promote
1 good feeling and harmony between Japanese and Burmese.
2 In order to prevent misunderstandings likely to arise
3 because of the difference in the manners and customs
4 and language, he had a two-volume booklet compiled,
5 entitled 'The Attitude to take toward the Burmese' and
6 distributed copies not only among our men, but also
7 among the greater part of the Japanese residents for
8 their guidance and observance. At the same time he
9 asked the Burmese Government to tell their people
10 plainly of our readiness and desire to act in concert
11 with them. The government on their part distributed
12 the summarized translation of the general's request
13 among the prefectoral governors for their information.
14 The result of the general's efforts was reflected in
15 the fact that the friendly and harmonious relations
16 between the army and the populace were notably im-
17 proved and our men, appreciating their commander's
18 spirit and intention, did their best to realize his
19 wishes.

20
21 "I used to attend the Japanese-Burmese Coop-
22 eration Conference as a representative of the Burma
23 Area Army, and so I had ample opportunities to come
24 in contact with the high governmental officials.
25 Mindful of the general's care and the Burmese official

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1 thoughts and opinions, I took care to cooperate with
2 the government in their undertakings in all ways, and
3 to ensure the stabilization of the livelihood of the
4 populace."

5 No. 4 is left out until the last paragraph
6 on page 5.

7 "The withdrawal of the Burma Area Army Head-
8 quarters from Rangoon to Moulmein commenced at the end
9 of April 1945, the complete concentration being effected
10 at the beginning of July. The headquarters, however,
11 could not function as it should; its hasty retreat to
12 Moulmein, the loss of communication and transportation
13 equipment and the important documents, the transfer-
14 ence of many skilled staff-officers, the unsatisfactory
15 replacements among the administrative personnel, freq-
16 uent air raids by British-Indian planes and the fact
17 that it was at the peak of the rainy season -- all
18 these factors interfered with the satisfactory func-
19 tioning of the Army headquarters. Above all, the air
20 raids by the British-Indian planes which were conducted
21 in the daytime and on moonlight nights as well, freq-
22 uently compelled the headquarters to seek shelter in
23 the outlying villages of Moulmein and attend to its
24 duties there. And most of the soldiers, too, not to
25 speak of the invalids, had to seek shelter in the

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1 jungles both day and night.

2 "At the end of March 1945, with the state of
3 things prevailing so unfavorably, the national defense
4 army of Burma, numbering 6,000-8,000 rose against the
5 Japanese and the guerrillas started a campaign of har-
6 assing our rear lines and we were greatly menaced.

7 "The Burma National Defense Army had seemed
8 favorable to the Japanese, as an agreement was ar-
9 ranged at Rangoon with the Japanese Army for united
10 operations. The revolt was an unexpected one for
11 the Japanese. Afterwards, it became clear that a sec-
12 ret declaration of war against Japan had been made
13 and signed by Major General Onsan on 14 March 1945.
14 For this purpose they had previously stationed num-
15 bers of men in the rear of the Japanese Army, at the
16 key strategic points, such as Toungoo, Pegu, and
17 Thaton. The main body in Henzada, with the outbreak
18 of the uprising, destroyed the means of communication
19 and transportation at several places, assaulted the
20 sentry-guards, squads of soldiers and gendarmerie
21 squads at various places, murdering most of these
22 officers and seizing the money and stores kept in
23 their custody. Espionage was engaged in by the guer-
24 rillas so that the Headquarters of the Burma Area
25 Army and the 28th and the 33rd Corps headquarters were

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1 subjected to serious bombings with heavy losses to
2 us, and the Japanese officers in charge of the
3 national defense militia were for the most part
4 killed. Of the 200-odd Japanese nationals, including
5 the interpreters and the commercial clerks who were,
6 in the Delta region, only a few were found safe at the
7 end of the war and the rest are still missing.

8 "However, General KIMURA sought no revenge.
9 On the contrary, he stressed the importance of the
10 friendship hitherto kept up between Japan and Burma
11 and met the situation from a strategical point of
12 view only. There were left no forces to meet the
13 emergency. A small amount of troops and part of the
14 55th division which had been dispatched for aid in
15 the quarter of Bassein and Meiktila were used for the
16 purpose of making a false show of strength.

17 "From January 1945 there began to be formed
18 one after another guerrilla parties of Karen and
19 Kachin tribes in the mountain regions south of Kema-
20 pew and Kaukareik area and in the regions south of
21 Papun. What with the entry of the Indian educated
22 Burnese, the arrival of Indians and British officers
23 by means of parachutes and the replenishment by air
24 of arms and munitions, the guerrillas grew rapidly
25 to strength till the groups were scattered far and

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1 wide, working most actively in collusion with the
2 rebels."

3 Skip now to the beginning of the fourth
4 line, the bottom of the page:

5 "In a nameless village on the western bank
6 of the river, 40 or 50 kilometers to the northwest
7 of Swe-gyin, ten Japanese Red Cross were assaulted
8 and not one of them came back alive (this, according
9 to the report of the soldier who was with the victims
10 at the time of the incident). For all of these cases
11 of resistance on the part of the Burmese, General
12 KIMURA always warned his troops against taking retali-
13 iatory measures.

14 "Such being the case while General KIMURA was
15 commanding, there was no chance whatever for us to
16 take British-Indian troops as prisoners. Thus the
17 situation of the Burma Area Army for the few months
18 before the end of the war was a succession of defeats.
19 In consequence of the defeats and the subsequent de-
20 cline in the army's fighting strength, our men were
21 demoralized; they were both physically and morally in
22 a state of exhaustion. The Japanese troops who were
23 scattered in small groups all over the operations areas
24 were overpowered by a sense of defeat, and had their
25 minds occupied only with the question of how to defend

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1 themselves against the Burmese rebel army and the
2 guerrillas.

3 "The harassing activities that these hostile
4 groups were carrying on in the rear of our army, the
5 loss and destruction of the means of communication,
6 the lack of fresh supplies of dry cell batteries,
7 traffic disturbances caused by British planes, the
8 interruption of communications during the highest
9 rainy season -- all these factors combined to all but
10 paralyze the entire working system of the Burma Area
11 Army, thus rendering it very difficult for the offi-
12 cers to lead and supervise their men properly. As the
13 Burma Area Army Headquarters had been scheduled to
14 break up before the end of August 1945, the retrench-
15 ment, reorganization and transference of the Army was
16 planned, part of which was actually being executed.
17 Meanwhile, most of the Army Staff officers had been
18 transferred; therefore we were obliged to make-shift
19 with non-career staff officers for the time being.
20 Naturally, the Army Headquarters which was busily
21 engaged in making preparations to meet the intended
22 attacks by the Allied armies by land and sea in the
23 near future experienced much difficulty and incon-
24 venience in attending to their business. It was
25 while we were laboring under these difficulties that

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1 the war was ended. Unfavorably circumstanced as he
2 was, Commander KIMURA had been endeavoring all this
3 while to maintain and improve the discipline of his
4 troops and also to win and keep up the trust of the
5 populace.

6 "Not one single instance of unlawful conduct
7 allegedly committed by his men was ever reported to
8 the Army Headquarters. I am certain that no orders
9 were ever issued by KIMURA for the perpetration of
10 the atrocious acts, evidence of which has been
11 brought before the court. Such acts would not have
12 been tolerated. As for the Kalagon village affair,
13 the British Army Headquarters, several months after
14 the close of the war, questioned General KIMURA about
15 it; the general and I and the other staff officers as
16 well had not known anything about it. It was in March
17 1946, if I remember right, that I heard about the af-
18 fair for the first time."

19 Skip to paragraph 6:
20

21 "As far as I know, the conditions of the
22 prisoner of war and internment camps while General
23 KIMURA was in office in Burma are as follows:

24 "(1) The Burma-Siam Railway was under the
25 direct control of the Commander-in-Chief of all
Imperial Armies in the Southern Area, and it had been

1 completed about one year before the arrival of
2 General KIMURA. And se the Burma Area Army had no
3 part in the construction, maintenance and operation
4 of the railway in question.

5 "(2) The prisoners of war camp in Rangoon,
6 which was the 6th Detachment of the Malayan POW camp,
7 was under the jurisdiction of the Chief of the Malayan
8 POW camp, who was under the jurisdiction of the Com-
9 mander-in-Chief of the Southern Expeditionary Forces.

10 "And the Commander-in-Chief of the Southern
11 Expeditionary Forces ordered the Chief of Malayan POW
12 Camp to set up one Detachment of Malayan POW camp in
13 Rangoon and put it under the direction of the Commander
14 of Burma Area Army. The Commander of Burma Area Army
15 put that detachment of the 83rd Supply Corps who was
16 also the Commander of the Rangoon Rear Communication
17 Headquarters.

18 "(3) For about three months and a half after
19 General KIMURA's arrival at his post, the Tavoy Army
20 internment camp was in charge of the commander of the
21 Independent 24th Mixed Brigade. In December 1944, the
22 Tavoy and Mergui army districts were, by orders from
23 the Commander-in-Chief of the Southern Expeditionary
24 Forces, transferred to the jurisdiction of the Thai-
25 land Area Army, and were placed under the direct con-

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1 trol of the Tavoy unit under command of the Thailand
2 Area Army commander.

3 "(4) The Rangoon prisoner of war camp was
4 originally the Rangoon Central Prison, where, if I
5 remember right, about 600 persons were interned. The
6 camp was a permanent building, fairly well fit to live
7 in, being equipped with medical rooms, sick rooms,
8 recreation hall, bath and wash rooms, kitchen, water
9 supply, playground and so forth.

10 "(5) For comfort and recreation the camp was
11 provided with pianos, phonographs and books, and exer-
12 cise was encouraged with many sorts of sport equipment
13 being utilized. The military band was occasionally
14 invited to afford the inmates entertainment.

15 "(6) The depot supplied lots of cows, pigs,
16 goats and ducks in several installments for the pris-
17 oners to tend to help supply nourishment.

18 "(7) The prisoners were permitted to lay out
19 farms, both inside and outside the compounds, so that
20 they might be interested in making themselves self-
21 supporting. The result was that after a time they
22 were able to produce more than enough and sell in
23 the Rangoon market what was left over. The proceeds
24 of the sales was used for themselves. The prisoners
25 did not have their rations of staple food reduced;

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1 they were, in fact, better supplied than the Japanese
2 in general, and therefore they were very grateful for
3 this.

4 "(8) Milk, tobacco and other daily necessi-
5 ties could be had at the canteen in the camp, for
6 which convenience the inmates expressed themselves
7 highly gratified.

8 "(9) Sundays and prisoner's national holi-
9 days were set aside to be observed by the prisoners
10 as days of rest on which occasions they were sometimes
11 allowed additional rations.

12 "(10) Working hours were gradually shortened,
13 the average being six hours. The kind of work that
14 they were required to do was, I was told, unloading
15 ships, conveyance, and other general jobs.

16 "(11) No news was ever brought to my ears
17 that atrocities of any kind were ever practiced by
18 the Japanese soldiers on the prisoners du ing General
19 KIMURA's tenure of office, though I was told that
20 punishment was noted out sevoral times at the request
21 of Brigadier Popson to those British-Indian soldiers
22 who had shown themselves disobedient to him.

23 "(12). In June 1944, before General KIMURA's
24 arrival, cholera broke out in the camp, which, however,
25 was soon stamped out.

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1 "Since August 1943 medical supplies from home
2 had almost ceased to arrive and even the Japanese
3 troops themselves had to do without their rations.
4 Medical treatments, therefore, left much to be desired,
5 I was told. Despite these shortages, they did their
6 best.

7 "Captain TAZUMI, the then chief of the pris-
8 oner of war camp at Rangoon, who everyone agreed was
9 the most excellent of the chiefs of the institution,
10 received from Brigadier Popson and Major Rollins let-
11 ters of thanks on several occasions. This is what
12 the captain told me himself.

13 "When the Army Headquarters evacuated Rangoon,
14 it was at first decided that the prisoners whose
15 health would be impaired by removal and some whose
16 services would be needed would be left at Rangoon,
17 preparatory to their release, and that only those who
18 were well and strong would be removed; but owing to
19 the war situation the whole of the prisoners were re-
20 leased on the spot toward the end of April 1945.
21

22 "About one hundred persons were accommodated
23 in the military internment camp at Tevoy where the
24 management in general was directed fairly and properly,
25 so that the institution was favored several times with
 letters of thanks. These letters were attached to the

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1 reports and other documents submitted to the British
2 Army after the surrender.

3 "It was the practice for the Japanese Air
4 Force in Burma to take charge of all allied airmen
5 who were captured for the purpose of interrogations.
6 The Burma Area Army had no command over the Air Force.

7 "On this 13th day of January 1947."

8 THE PRESIDENT: We will adjourn until
9 have past one.

10 (Whereupon, at 1200, a recess
11 was taken.)

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AFTERNOON SESSION

The Tribunal met, pursuant to recess, at
1330.

MARSHAL OF THE COURT: The International
Military Tribunal for the Far East is now resumed.

J I R O I C H I D A, called as a witness on
behalf of the defense, resumed the stand and
testified through Japanese interpreters as
follows:

THE PRESIDENT: Mr. Freeman.

MR. FREEMAN: You may cross-examine.

THE PRESIDENT: Colonel Mornane.

CROSS-EXAMINATION

BY COLONEL MORNANE:

Q Witness, you say that KIMURA, when he met
the Burmese officials, showed sympathy for their
delicate circumstances. What do you mean by "their
delicate circumstances"?

A I can't hear very well.

(Whereupon, the question was re-
peated by the Japanese court reporter.)

That is because the war situation daily
grew unfavorable for the Japanese with the gradual

1 pressure exerted by the British-Indian forces upon
2 the Japanese, and that the front lines where the two
3 forces met had closed in and as a result the natives
4 residing in such districts were forced to undergo a
5 very uncertain situation where law and order was not
6 secure, contrary to the situation prior to this when
7 a certain amount of law and order existed in those
8 regions.

9 Q Did it not also include the fact that the
10 Burmese government had been set up by the Japanese?

11 A I didn't hear it very well.

12 (Whereupon, the question was re-
13 peated by the Japanese court reporter.)

14 I do not believe that that was the reason.

15 Q The Burmese government was, in fact, set up
16 by the Japanese?

17 A The establishment of the Burmese govern-
18 ment took place before I arrived in Burma; there-
19 fore, I am not acquainted with the details, but even
20 so I believe so.

21 Q Now, you say that the Japanese officers in
22 charge of the National Defense Militia were for the
23 most part killed. By the "National Defense Militia,"
24 you mean the Burmese National Defense Army, do you?

25 A Yes.

1 Q Were there very many Japanese officers in
2 charge of the National Defense Militia?

3 A Japanese officers were not directing the
4 Burmese National Defense Army. General, Major
5 General Onson was the commanding officer.

6 Q How many Japanese officers of the National
7 Defense Militia were killed?

8 A I do not remember the exact number.

9 Q When were you repatriated from Singapore or
10 from Rangoon -- from Rangoon?

11 A In January of this year.

12 Q With regard to the Kaladan massacre, did you
13 give evidence at the trial of Major ICHIKAWA?

14 A No.

15 Q The 33rd division was under the command of
16 the accused, KIMURA, was it not?

17 A Yes, it was.

18 Q And the 213th regiment formed part of that
19 division?

20 A I do not remember the number of the regiment,
21 but I believe that is so.

22 Q As Vice-Chief of Staff, you would know
23 Colonel TSUKUDA, the commander of the 213th regi-
24 ment, would you not?

25 A Do you mean the regimental commander?

1 Q I mean the regimental commander.

2 A No, I do not know.

3 Q With regard to the Rangoon prisoner of war
4 camp, did you ever inspect that camp?

5 A During the time that it contained prisoners
6 of war I did not visit the camp, but I did so after
7 the war because the said Rangoon camp housed the
8 Japanese -- the Japanese war crime suspects were con-
9 fined there.

10 Q I see. The only time you inspected the
11 Rangoon camp was after it came under British control?

12 A Yes.

13 Q And your description given this morning to
14 the Tribunal, is that a description of the state of
15 the Rangoon prison camp when you were in there?

16 A The situation that I described was as a
17 result of a visit I made to that camp, the Rangoon
18 camp, on business connected with the British army.

19 Q That was before the surrender, I take it?

20 A No, that is not so.

21 Q What was the source of your information
22 contained in your evidence this morning, in regard
23 to the Rangoon prison camp?

24 A My description is based firstly on the
25 results of reports made at the conference of

1 staff officers and also after the end of the
2 hostilities, in conversation or reports from TAZUMI
3 who was the commander of that camp.

4 Q You did not commit any of those conversa-
5 tions or reports to writing at all?

6 A No, I did not commit them to writing. I
7 testified relying on my memory.

8 Q Did you give evidence for Captain TAZUMI
9 when he was charged at Rangoon with war crimes?

10 A With respect to war crime trials, no
11 notifications were received by the Japanese Army;
12 therefore, I do not know anything of the war crimes
13 trials.

14 Q You have not given evidence at any war crimes
15 trial prior to this?

16 A No.

17 Q Now, with regard to Allied airmen, you say
18 they were interrogated by the Japanese air force,
19 but after their interrogation were they or were they
20 not sent to the Rangoon prisoner of war camp if they
21 were held in that vicinity?

22 A I was not directly connected with such
23 affairs; therefore, I do not know definitely, but I
24 believe that that would be where they were taken.

1 Q Did your headquarters ever direct any
2 inquiry into deaths occurring among prisoners at
3 the Rangoon prisoner of war camp?

4 A I was not connected with prisoner of war
5 matters; therefore, I do not know.

6 Q You would not know as Vice-Chief of staff?

7 A If such matters were brought up before the
8 conference, I would, of course, know about it, but
9 they were not.

10 COLONEL MORNANE: I wish to draw the Court's ,
11 attention to exhibits 1537 to 1558, appearing on the
12 record at page 12,966 to 12,999, and with regard to
13 those exhibits, exhibit 1541, which is included,
14 should have been referred to at the end of exhibit
15 3085 as containing the report of Captain TAZUMI's
16 trial.

17 THE PRESIDENT: Mr. Howard. For whom?

18 MR. HOWARD: For General KIMURA.

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1 CROSS-EXAMINATION (Continued)

2 BY MR. HOWARD:

3 Q General ICHIDA, was Major ICHIKAWA convicted
4 in a trial in which he was charged with some part in
5 the Kaladan Incident?

6 A Yes, he was convicted.

7 Q Was General TANAKA, Nobuo the next in command
8 above Major ICHIKAWA?9 A General TANAKA, Nobuo was the divisional
10 commander, commanding superior to Major ICHIKAWA.11 Q Was General TANAKA tried on the same charge
12 as Major ICHIKAWA or similar charges?13 A Former Lieutenant General TANAKA was confined
14 as a suspect in this connection in Rangoon jail but
15 just prior to my leaving Rangoon in January of this
16 year he was released and I understand has recently
17 been repatriated and is now in Japan.

18 MR. FREEMAN: May the witness be excused?

19 THE PRESIDENT: He is excused on the usual
20 terms.

21 (Whereupon, the witness was excused.)

22 MR. FREEMAN: I next offer in evidence defense
23 document 684 which is an excerpt from "Biennial Report
24 of General George C. Marshall to the Secretary of War,
25 July 1, 1943 to June 30, 1945," relative to the

1 progress of the Burma campaign.

2 THE PRESIDENT: Admitted on the usual terms.

3 CLERK OF THE COURT: Defense document 684
4 will receive exhibit No. 3090.

5 (Whereupon, the document above
6 referred to was marked defense exhibit
7 No. 3090 and received in evidence.)

8 MR. FREEMAN: I shall now read into evidence
9 exhibit 3090: "Pages 114-115"--

10 THE PRESIDENT: This is headed, "For
11 KIMURA's individual defense." Are you offering it
12 now in behalf of all?

13 MR. FREEMAN: Yes.

14 "The Burma campaign continued with intensity
15 during the monsoon season of 1944. Chinese, American
16 and British troops were then disposed along the Chind-
17 win River north of Kalewa and from the upper Irrawaddy
18 to Lungling. It was planned to drive southward
19 through Central Burma to Mandalay, and Admiral Mount-
20 batten prepared for Operation DRACULA to seize Rangoon
21 amphibiously from the south. At the close of the
22 monsoon, Chinese, American, and British troops under
23 the immediate command of General Sultan advanced south-
24 ward astride the Irrawaddy, captured Shwegu in early
25 November and by December had cleared the projected

trace of the supply road to Bhamo.

1 "The Japanese in Burma had never recovered
2 from General Stilwell's thrusts and from the losses
3 inflicted by British and Indian forces on their 15th,
4 31st, and 33d Divisions in their abortive effort to
5 sever the Bengal-Assam Railroad. As fast as the com-
6 bat forces moved ahead, United States engineers,
7 commanded by Brigadier General Lewis A. Pick, shoved
8 the road forward behind them, operating their bull-
9 dozers so far forward that they were frequently under
10 fire. On January 28, 1945 a convoy of American
11 trucks and materiel from India crossed the Burma-
12 China frontier. The Stilwell Road was open.
13

14 "In Western Burma the British broke south
15 through Tidim across the Chindwin against Japanese
16 delaying actions. Southward in the Arakan, British
17 operations cleared the Kaladan River delta on the
18 Arakan coast and provided air strips at Akyab and on
19 Ramree Island.

20 "The Japanese retreat in Burma was in full
21 swing by the end of January 1945. General MacArthur's
22 successive landings in the Philippines and United States
23 fleet operations in the China Sea had cut the Japanese
24 supply line to Burma. In mid-February, a British
25 column crossed the Irrawaddy near Pagan and drove to

1 Meiktila. The seizure of this road and rail center
2 with its airfields undermined the whole Japanese
3 position in Central Burma. In the meantime, other
4 British-Indian forces were closing on Mandalay from
5 the north and west. Japanese trapped in Mandalay held
6 out against the British until March 21. Forty days
7 later British airborne troops descended along the
8 western shore of the Rangoon River south of the port
9 and assault troops came ashore the following day. The
10 Japanese had already fled Rangoon and the British
11 forces entered on May 3. The port facilities were
12 captured in good condition.

13 "The Burma campaign had all but ended. A
14 few Japanese units were able to withdraw eastward
15 into Thailand and into the Moulmein area of Southern
16 Burma, but thousands of the enemy were cut off in
17 isolated pockets with little hope of escape. Admiral
18 Mountbatten reported the fighting had already cost
19 Japan 300,000 casualties of which 97,000 were counted
20 dead."

21 I next call the witness YOSHIDA, Gompachi,
22 whose affidavit is defense document 1928.
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1 G O M P A C H I Y O S H I D A, called as a witness
2 on behalf of the defense, being first duly sworn,
3 testified through Japanese interpreters as
4 follows:

5 DIRECT EXAMINATION

6 BY MR. FREEMAN:

7 Q Mr. YOSHIDA, will you give us your full
8 name and address?

9 A My name is YOSHIDA, Gompachi; my address:
10 No. 55, 5-chome, Noborito, Chiba, Chiba Prefecture.

11 MR. FREEMAN: May the witness see defense
12 document 1928?
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YOSHIDA

DIRECT

27,600

1 Q Is that your affidavit and have you signed
2 it?

3 A Yes, it is my affidavit, and I have signed
4 it.

5 Q Are the contents therein true and correct?
6 A Yes.

7 MR. FREEMAN: I offer in evidence defense
8 document 1928.

9 THE PRESIDENT: Admitted on the usual terms.

10 CLERK OF THE COURT: Defense document 1928
11 will receive exhibit No. 3091.

12 (Whereupon, the document above
13 referred to was marked defense exhibit
14 No. 3091 and received in evidence.)

15 MR. FREEMAN: I will read exhibit 3091.

16 "My name is YOSHIDA, Gompachi. I was for-
17 merly in service as Major General. I was born on
18 January 18, 1894, and now live at No. 55, 5 chome,
19 Noborito, Chiba-shi, Chiba Prefecture. In December
20 1915 I entered the Military Academy. After gradu-
21 ating from the Academy, I occupied various posts.
22 I was appointed Commander of the Rangoon Air Defense
23 forces in August 1943, and late in September 1944
24 Chief of Staff of the 15th Army where I remained
25 until the end of the war.

YOSHIDA

DIRECT

27,601

1 "2. General KIMURA, Heitaro, came to the
2 City of Rangoon to assume his office on September 12,
3 the next day in the compounds of the Head-
4 quarters of the Burma Area Army, General KIMURA
5 delivered an address to men and officers of the
6 whole army, I being present. In his address he
7 told us emphatically to encourage military dis-
8 cipline and morale, to apply due and prompt punish-
9 ment and rewards, to promote friendship and good
10 understanding between the two peoples, and to win
11 the public favor. In obedience to the General's
12 address and for the purpose of having my men well
13 informed of his instructions, first of all I held an
14 inspection of troops under my command. I also organ-
15 ized such various units specializing in specific
16 tasks as follows: units to treat and rescue the
17 Burmese people killed or injured in air raids; fire
18 service units; and units for delivery of necessary
19 medical articles.
20

21 "At the time when I was appointed Chief of
22 Staff of the 15th Army, the Army was in retreat
23 toward the banks of the Irrawaddy following the
24 failure of our Impahl operations. In his interview
25 with me on my departure for my new post, General
KIMURA instructed me in detail to the same effect as

YOSHIDA

DIRECT

27,602

1 was stated in the General's first address following
2 his arrival. Besides, he gave me strict orders to
3 avoid taking to scorched-earth tactics on our way of
4 retreat and thus to keep the native populace out of
5 the horrors of war; and especially to afford every
6 possible facility to those government officials and
7 civilians who wished to evacuate with the Japanese
8 forces. On my arrival at the Headquarters of the
9 15th Army, I found telegraphic orders from
10 General KIMURA to the above effect. Upon my assump-
11 tion of post, I thought it was of initial urgency to
12 make it thoroughly known to the whole army of the
13 intention of General KIMURA. The review of military
14 discipline in our army was carried out by the Com-
15 mander of the 15th Army KATAMURA and myself, with a
16 view to thoroughly informing the soldiers of the in-
17 tention of the Area Army Commander. At that time,
18 Commander KATAMURA took charge of the review of the
19 major units directly attached to him, and I, in his
20 place, took charge of the minor. The commanders
21 of army corps under the 15th Army likewise executed
22 review on their sub-units. In those days the 31st
23 and the 33rd Divisions were retreating with extreme
24 difficulty, but despite the situation, commanders of
25 both divisions took pains to carry out the inspection

YOSHIDA

DIRECT

27,603

1 of troops with regard to military discipline on the
2 battlefield and applied due and prompt punishment
3 to unit commanders for neglect of taking good care
4 of ar... As regards our relations with the Burmese
5 people, the scorched-earth tactics were, of course,
6 prohibited and appropriate facilities for retreat
7 were afforded to official and civilian avacuees.
8 It was also ordered to avoid setting billets and
9 any army camps in residential districts. In this
10 way the forces at the front put up with all incon-
11 veniences to keep the people from suffering from the
12 ill effects of war. Also after that, at the time
13 of evacuation from Maymyo (about 30 kilometers north-
14 east of Mandalay) a special order was issued to ban
15 the scorched-earth tactics.

16 "3. General KIMURA, who was very eager to
17 promote good understanding and cooperation between
18 the J: anese and Burmese, distributed among his
19 forces a pamphlet in two volumes entitled, 'The
20 Attitude to Take Toward the Burmese,' and ordered it
21 to be observed. We also made efforts to see to it
22 that the order was carried out. The pamphlet con-
23 tained articles on the differences in manners and
24 customs between the two peoples to clear away any
25 misunderstanding so it might contribute to the

YOSHIDA

DIRECT

27,604

1 friendship between them. It is the regret of this
2 deponent that the pamphlet and the Area Army Com-
3 mander KIMURA's telegram to the 15th Army Head-
4 quarters, mentioned above, cannot be submitted to
5 the Tribunal because they had been lost or burned
6 at the time of our retreat through enemy lines
7 after the failure of the battle of Irrawaddy.

8 "Besides at the end of war all documents
9 other than those concerning personnel affairs, ac-
10 counts and supplies, and military sanitation, and
11 particularly any document having any connection with
12 strategy and policy were burned by order of superior
13 authorities.

14 "By the time of the opening of the battle
15 of Irrawaddy, General KIMURA had held meetings at the
16 Area Army Headquarters in Rangoon for the purpose of
17 consulting with respective army staff officers and
18 unit commanders about problems of strategy, education,
19 and self-government. At each meeting General KIMURA
20 gave necessary instructions. At the meeting on
21 strategy when I presented myself, he delivered re-
22 peated addresses in reference to the maintenance
23 of military discipline and to winning public favor.
24 It was also emphasized to the same effect at other
25 meetings. We, as his subordinates, concentrated our

YOSHIDA

DIRECT

27,605

1 efforts to carry them out in obedience to his in-
2 tentions.

3 "Because of racial similiarities, from the
4 very beginning, the Japanese Army and the Burmese
5 people were well disposed toward each other. Gneral-
6 ly, the Japanese Army was cautious and prudent in
7 action and enforced strict military discipline and
8 thereby had won the confidence of the Burmese people
9 at large. With the increasingly heavier pressure
10 of troubles by war, an anti-war feeling was gradually
11 stealing into the hearts of the Burmese people.
12 Particularly since the latter period of the battle
13 of Irrawaddy, in view of Japan's obvious defeat, an
14 anti-Japanese tendency seemed to have been brought
15 about among a certain portion of the people, from the
16 time of the revolt of the Burmese National Defense
17 Army.

18 "6. After the failure of the operations in
19 the Impahl zone, the 15th Army suffered heavy losses
20 both in number of troops and arms. Remarkable decline
21 was seen of morale and physical strength. More than
22 that, a great number of soldiers were suffering from
23 diseases. Thus it was quite difficult for the 15th
24 Army to regain its combat power. Little supply was
25 sent from the rear and we prepared with much difficulty

YOSHIDA

DIRECT

27,606

1 for the coming battle of Irrawaddy. But about the
2 middle of February 1945, a frontal attack by predomi-
3 nant British-Indian Forces was attempted. In parallel
4 with this action, a flank attack was made by British-
5 Indian Mechanized Corps which had broken into Burma
6 by way of Meiktila early in March. As a result, our
7 lines were cut off on all sides, and each corps was
8 forced into an isolated position. Every means of
9 communication by land was cut off and, owing to the
10 want of electric batteries, wireless communication
11 was barely available resulting in insufficiency of
12 command and communication."

13 I skip now to the last two lines on page 7.

14 "Beginning early in June 1945, the communi-
15 cation by land was scarcely possible, as this was the
16 heaviest rainy season. Such being the situation, the
17 communication either between a commander and his
18 subordinates or between one unit and another was
19 also hardly carried out.

20 "In addition, the activities of British-
21 Indian planes and the disturbing attacks in the rear
22 by guerrilla units of the Burmese National Defense
23 Army made a vital menace to our forces. Soldiers in
24 minor units and stragglers were in constant danger
25 of life as a result of the pressure of defeat.

YOSHIDA

DIRECT

27,607

1 "On this 30th day of June, 1947."

2 Cross-examine.

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1 THE PRESIDENT: On page 1, the second last
2 line in the second paragraph, appears the expression
3 "September 1945." Should that be 1944?

4 MR. FREEMAN: It is '44 on mine.

5 I understand it should be '44.

6 COLONEL MORNANE: If the Tribunal pleases,
7 there will be no cross-examination of this witness.

8 MR. FREEMAN: May the witness be excused?

9 THE PRESIDENT: He is excused on the usual
10 terms.

11 (Whereupon, the witness was excused.)

12 MR. FREEMAN: If the Tribunal please, the
13 next witness, HIRAKAWA, is not present, but it is my
14 understanding that the prosecution does not wish to
15 cross-examine. If that is true, I shall read the
16 affidavit.

17 I offer in evidence defense document 1920.

18 THE PRESIDENT: Admitted on the usual terms.

19 CLERK OF THE COURT: Defense document 1920
20 will receive exhibit No. 3092.

21 (Whereupon, the document above
22 referred to was marked defense exhibit
23 No. 3092 and received in evidence.)

24 MR. FREEMAN: I shall read into evidence
25 exhibit 3092.

1 "My name is HIRAOKA, Junzo. I was born in
2 the Hiroshima Prefecture on January 1, 1890, the
3 23rd year of Meiji, and appointed second lieutenant
4 in the army on December 25, 1912. After having
5 passed, since then, through ordinary courses in the
6 army, I was appointed an attache to the commander of
7 the Burma Area Army in March, 1943, and remained in
8 the same post to the end of the war. I was colonel
9 at the time of surrender."

10 He has been released from Sugamo Prison.

11 THE PRESIDENT: Omit that.

12 MR. FREEMAN: (Continuing) "In the last part
13 of February, 1944, I was appointed to hold the addi-
14 tional post of the adviser to the Burmese Government
15 and had, thereafter, comparatively many opportunities
16 to contact with the important men in the Burmese
17 Government presided over by Dr. Bahmo.

18 "General KIMURA, who assumed his post as the
19 commander of the Burmese Area Army in the middle of
20 September, 1944, amidst the most difficult situation
21 both politically and strategically since the Impahl
22 operation, made it his special concern to secure the
23 confidence of the Burmese people. So since his first
24 arrival, he took advantage of every possible oppor-
25 tunity to emphasize its importance and to warn the

1 soldiers under his command, as well as the Japanese
2 residents in Burma, to that effect.

3 "Since the latter part of October, 1944,
4 General KIMURA had several close conversations with
5 many leading men of the Burmese Government. Every time
6 when I happened to attend, he listened earnestly to
7 the Burmese, letting them frankly advance their
8 opinions without reserve at each meeting for five or
9 six hours. Picking up suggestions for improvement
10 presented, he transmitted them to those concerned
11 immediately for correction.

12 "These talks were heartily received by all
13 Burmese leaders. The Burmese feelings toward Japan
14 were greatly improved through these meetings.

15 "General KIMURA, Ambassador ISHII and Dr. Bahmo
16 had regular talks, at least once a month, and tried
17 to promote mutual understandings. Since about
18 February, 1945, the strategical situation in Burma
19 became worse day by day and the living conditions of
20 the Burmese people became worse also. So General
21 KIMURA often forewarned his staff officers that though
22 they were preoccupied by pressure of severe operational
23 demands, they must not forget the feelings of the
24 Burmese people, and that they should not lose their
25 popularity with the Burmese, even at the sacrifice of

some part of the military operations, and had directed
1 the release of some textile goods from the Japanese
2 Army to the Burmese civilians, and the limitation of
3 the quantity of grain purchased by the Japanese Army.
4 Furthermore, I often witnessed the scenes in the
5 Departmental Chief Conference or other occasions, in
6 which he was urging the chief of the Medical Depart-
7 ment of the army under his assignment to promote medi-
8 cal relief for the sick and wounded caused by bombard-
9 ment, etc., among the Burmese people.

"Listening personally to the peoples' voice
11 through the Burmese leaders, General KIMURA had, not-
12 withstanding the scarcity of paper, a leaflet entitled
13 'The Attitude to Take Toward the Burmese People' com-
14 piled, printed and distributed among soldiers and the
15 Japanese residents. Furthermore, he had the vice-
16 chief of his staff, etc., give lectures on the kindly
17 treatment of the Burmese peoples to the important
18 Japanese civilians in Burma.

"Such sympathy and sincerity of General
20 KIMURA as above mentioned toward the Burmese people
21 helped regain the confidence of the Burmese in the
22 Japanese Army which has been lessening through her
23 disadvantageous war situation in the whole Pacific
24 battle area, especially in Burma, so that the

1 anti-Japanese underground movements by some groups of
2 Burmese who were arising since the rainy season of
3 1944 was temporarily stopped.

4 "It was about November, 1944, that many
5 Burmese leaders, comprising Dr. Bahmo, Mr. Takin Miya
6 (Vice-Premier), Mr. U Ton Aun (Minister of Cooperation),
7 Mr. Takin Tanton (Minister of Demand and Supply) and
8 Mr. Uba Win (Home Minister) told me that they were
9 happy to have a benevolent commander with good under-
10 standing, good will and deep sympathy toward Burma,
11 and that they expected that the anti-Japanese atmos-
12 phere which was appearing in some groups of the Burmese
13 would probably be swept away.

14 "In February, 1945, when the war situation
15 in many districts was at a most adverse stage to
16 Japan, the handcraft exhibition was held at Rangoon
17 under the sponsorship of the Japanese and attracted
18 the Burmese numbering from 50,000 to 100,000 every day.
19 Furthermore, movie theatres in Rangoon City, numbering
20 seven or eight in all, were almost packed every day
21 and night even after the rebellion of the National
22 Defense Army in the latter part of March of the same
23 year.

24 "At the time of evacuation of the Japanese
25 Army from Rangoon, General KIMURA, having deliberately

1 decided not to incur the war disaster upon the
2 Burmese people, prohibited, by order, the burning
3 of the property of the Burmese people. At the eva-
4 cuation, furthermore, he left the Burmese leaders to
5 do as they liked and so a half of the ministers
6 remained in Rangoon.

7 "As the adviser to the Burmese Government, I
8 sometimes heard the Burmese Government complain of
9 the junior grade Japanese military men and civilians,
10 But I never heard, during the tenure of my office,
11 of the cruelty committed by the soldiers of the
12 Burma Area Army spoken of by either governmental
13 authorities or the people."

14 I next call the witness SHIMAZU, Hisanaga,
15 whose affidavit is document 1870.
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H I S A N A G A S H I M A Z U, called as a
1 witness on behalf of the defense, being
2 first duly sworn, testified through Japanese
3 interpreters as follows:

4 DIRECT EXAMINATION
5

6 MR. FREEMAN: I offer in evidence defense
document 1870.

7 THE PRESIDENT: Oh, no, not yet.

8 MR. FREEMAN: Excuse me; I am sorry.

9 BY MR. FREEMAN:

10 Q Mr. SHIMAZU, will you give us your full
11 name and address?

12 A My name is SHIMAZU, Hisanaga. My address,
13 130 1-chome Amanuma, Suginami-ku, Tokyo.

14 MR. FREEMAN: May the witness be shown
15 defense document 1870.

16 Q Is that your affidavit, and have you signed
17 it?

18 A Yes.

19 Q Are the contents therein true and correct?

20 A It is true and accurate.

21 MR. FREEMAN: I now offer in evidence
22 defense document 1870.

23 THE PRESIDENT: This has become repetitive.
24 These affidavits are all along the same lines.

1 However, there is no objection yet; but the Court
2 has a duty, independently of the attitude of the
3 prosecution, to prevent repetitive evidence being
4 given, to prevent evidence becoming cumulative.

5 MR. FREEMAN: Each one of these documents
6 that is being offered in evidence is an attempt to
7 give, by different witnesses, different positions
8 which they occupied, evidence in the area of the
9 Burma theater. It of necessity is and must be repe-
10 titive in many instances, but the defense feels and
11 is offering it for what probative value the evidence
12 is worth.

13 If the Tribunal does not wish to hear the
14 document, we will withdraw it.

15 THE PRESIDENT: I think a majority do not
16 want to hear it.

17 MR. FREEMAN: May the witness be released?

18 THE PRESIDENT: Do you wish to cross-examine
19 him, Mr. Tavenner?

20 COLONEL MORNANE: No, sir, no cross-examination.

21 THE PRESIDENT: He is released on the usual
22 terms.

23 (Whereupon, the witness was excused.)

24 MR. FREEMAN: I next call the witness
25 YAMAGUCHI, Eiji, whose affidavit is defense document

No. 1451.

E I J I Y A M A G U C H I, called as a witness
on behalf of the defense, being first duly
sworn, testified through Japanese inter-
preters as follows:

DIRECT EXAMINATION

BY MR. FREEMAN:

Q Mr. YAMAGUCHI, will you give us your full
name and address?

A My name is YAMAGUCHI, Eiji. My address,
134 3-chome, Nanjo-machi, Takat-shi, Niigata
Prefecture.

MR. FREEMAN: May the witness be shown
defense document 1451.

THE WITNESS: It is 1541 on mine.

MR. FREEMAN: I am sorry, that document
is 1451.

THE PRESIDENT: Admitted on the usual terms.

CLERK OF THE COURT: Defense document 1451
will receive exhibit No. 3093.

(Whereupon, the document above
referred to was marked defense exhibit
No. 3093 and received in evidence.)

THE PRESIDENT: There is a great deal of

YAMAGUCHI

DIRECT

27,617

1 repetitive material in this also, although I cannot
2 say the whole of it is repetitive.

3 MR. FREEMAN: Part of this is--

4 THE PRESIDENT: Do not read that part which
5 you must be now satisfied is repetitive.

6 MR. FREEMAN: Some of this has been deleted.

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1 I now read into evidence the last page of
2 exhibit 3093, beginning with paragraph 4:

3 "4. As for the alleged illegal actions of
4 which a charge is laid before the Court, the Army
5 Headquarters never ordered such illegalities to be
6 perpetrated, nor did it receive any reports on the
7 same; in fact, we knew nothing whatever about the
8 cases. Accordingly, General KIMURA, Commander of the
9 Area Army forces, had of course no knowledge whatso-
10 ever of those wrongs. - -"

11 COLONEL MORNANE: If it please the Tribunal,
12 the prosecution objects to this. The witness cannot
13 say whether General KIMURA had any knowledge of these
14 things or not, in his position.

15 THE PRESIDENT: No, he cannot.

16 MR. FREEMAN: Is the objection upheld?

17 THE PRESIDENT: Is that all you object to in
18 this affidavit?

19 COLONEL MORNANE: If it please the Tribunal,
20 I object to the whole of the part that has been read
21 up to date.

22 THE PRESIDENT: Well, it looks as though we
23 will have to weigh it on the Bench. It is full of
24 repetitive material at all events.

25 COLONEL MORNANE: It is only paragraph 4 my

1 friend is putting in, on page 12.

2 THE PRESIDENT: No, he cannot. That is
3 clearly open to objection, and the objection is up-
4 held.

5 MR. FREEMAN: May the witness be excused?

6 THE PRESIDENT: The witness is excused on
7 the usual terms.

8 (Whereupon, the witness was excused.)

9 - - -
10 MR. FREEMAN: I now refer to exhibit 1472
11 and wish to read from the beginning of the sentence
12 in the third line to the middle of the first paragraph,
13 ending with the words "military authorities," on page 2:

14 "I reproduce in substance following letter
15 addressed to me by Minister TOGO: 'American citizens
16 whom you are endeavoring to protect enjoy proper treat-
17 ment as you have been able to judge from your visits.
18 The Government is not in possession of complete details
19 for all occupied territories but an official of Japa-
20 nese Consulate General Hong Kong has taken over Ameri-
21 can Consulate General after fall of that colony and
22 has done his best obtain as many facilities as possible
23 for American officials. Accordance their desire all
24 American personnel (consisting 13 persons) and 7
25 members American Embassy were put together January 9

1 in two buildings chosen by American Consul himself.
2 They have expressed their thanks for treatment accord-
3 ed. They are authorized go out twice weekly escorted
4 by Japanese official. Their food sufficiently assured
5 by Japanese Army and all in good health. Adequate
6 protection likewise accorded other American citizens.
7 In addition 26 members American Consulate General
8 Manila benefit same treatment as consuls all other
9 countries; they live in building belonging American
10 citizen in Pasaynang Howroad in suburbs Manila. They
11 have also thanked Japanese Consulate General for
12 indulgent treatment given them and have told us that
13 they suffer no privation. Treatment given other
14 American citizens by Japanese military authorities
15 no less indulgent in principle. Old people, mothers
16 of young children, the sick and pregnant women are
17 not detained by military authorities."

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1 If the Tribunal please, the witness MURATA
2 is not present, so, therefore, we will have to pass
3 defense document 1741. Also, defense document 1453
4 is passed for the present.

5 THE PRESIDENT: This is the wrong document
6 that we have. This is MURATA's affidavit that we have
7 been given.

8 You are not calling him because he isn't here
9 to call, so you have passed on to the next document.
10

11 MR. FREEMAN: MURATA is not present today.

12 THE PRESIDENT: Well, we want defense document
13 1453. We have been given defense document 1741.
14

15 Where is 2035, Mr. Freeman?

16 MR. FREEMAN: I have it.

17 I next offer in evidence extracts from the
18 testimony of the witness ISHIKAWA, Kikuo, defense
19 document 2035, who testified for the defense in the
20 YAMASHITA trial. I may state that in addition to this
21 extracti n, the prosecution has requested that I read
22 additional extracts from the original which I intend to
23 do and will indicate the insertions requested by the
24 prosecution when they are reached -- extracts from the
25 cross-examination that prosecution has requested that
I read.

THE PRESIDENT: Is there any short way of

1 dealing with this YAMASHITA position?

2 MR. FREEMAN: If the Tribunal pleases, I
3 realize that this document is lengthy. I have cut
4 it down considerably. But, it, in the direct and
5 cross-examination, gives pretty well the situation
6 that existed in the Philippines during the war and at
7 the end of the war. And we have restricted ourselves,
8 for that reason, to two or three affidavits in addition
9 to this concerned in the Philippine Area.

10 THE PRESIDENT: The whole position was fully
11 covered by the United States Supreme Court. I am not
12 suggesting we are bound by their conclusions of fact,
13 but it may be arranged by both sides that we should
14 be referred to that judgment and invited to form our
15 own conclusions on the facts.

16 Mr. Tavenner.

17 MR. TAVENNER: If it please the Tribunal, I
18 did not understand that a matter of that sort was in-
19 volved in this testimony. I was told that defense
20 would produce this witness to testify unless we agreed
21 that he would testify to what appears in this record.
22 And, on the assurance that this would be the only
23 excerpt from that trial which would be so presented,
24 I agreed as a matter of saving time. So, I think
25 there is nothing involved in it at all excepting the

1 testimony of the particular witness.

2 THE PRESIDENT: We will leave it at that.

3 We will recess for fifteen minutes.

4 (Whereupon, at 1445, a recess was
5 taken until 1500, after which the proceed-
6 ings were resumed as follows:)

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1 MARSHAL OF THE COURT: The International
2 Military Tribunal for the Far East is now resumed.
3 THE PRESIDENT: Are you offering the whole of
4 this document, 2035, Mr. Freeman?
5 MR. FREEMAN: For identification only.
6 THE PRESIDENT: You are tendering parts only?
7 Then mark it for identification.
8 MR. FREEMAN: I am offering an excerpt from
9 the original of the entire transcript for identifica-
10 tion only.
11 CLERK OF THE COURT: Excerpt taken from Volume
12 XXV of "The Trial Record in the case of United States
13 vs. Tomoyuki YAMASHITA" will receive exhibit number
14 3094 for identification only.
15 THE PRESIDENT: The excerpt is admitted on
16 the usual terms.
17 (Whereupon, the document above referred
18 to was marked exhibit 3094 for identification.)
19
20
21 CLERK OF THE COURT: Excerpt from Exhibit
22 3094, defense document 2035, will receive exhibit number
23 3094-A.
24 (Whereupon, the document above referred
25 to was marked exhibit 3094-A and received in
evidence.)

1 MR. FREEMAN: I will now read in evidence exhib-
2 it 3094-A, beginning with "Direct Examination", on page 1.

3 "Direct Examination.

4 "Q (By Captain Reel) What is your name?

5 "A (Through Commander Bartlett) Ishikawa, Kikuo.

6 * * * .

7 "Q And your rank in the Japanese Army?

8 "A Lieutenant Colonel."

9 * * * *

10 "Q When did you come to the Philippine Islands?

11 "A 27th of September of last year.

12 "Q And what was your assignment here?

13 "A Supply and Transportation.

14 "Q And are you a member of the staff of general
15 headquarters 14th Army group?

16 "A Yes.

17 "Q Did you keep that assignment right on through
18 to the time of surrender?

19 "A Yes."

20 * * * *

21 "Q You were in Kapangan at the time of your sur-
22 render?

23 "A At the time of the surrender I was at No. 3
24 R.H., or Rest House.

25 "Q Now, at Fort McKinley and at Baguio and at

1 Kapanagan, were you in General Yamashita's headquarters?

2 "A Yes.

3 "Q Now, as staff officer in charge of supply and
4 transportation, tell us briefly just what your duties
5 were.

6 "A With respect to supply, briefly, it was divid-
7 ed into food, weapons, ammunition, and medical supplies.

8 With respect to transportation, just motor transport.

9 "Q What was your connection, if any, with General
10 Kira, the Intendance Officer?

11 "A To explain by an example, General Kira would
12 have charge of daily issue of rations at all times,
13 whereas I would make plans concerning rations only
14 during operations. The actual rations themselves were
15 always under the control of General Kira."

16 * * * *

17 "Q And why would these matters of supply be
18 routed to you?

19 "A As examples, if a shipment in rice should arrive
20 from Saigon, or, on the other hand, the extreme scarcity
21 of rice made it necessary to cut the ration, or some-
22 thing of that sort, then it would come to my attention.

23 "Q And in your capacity as transportation officer,
24 were you concerned with the food supply?

25 "A Very close connection.

1 "Q What was that, and why?

2 "A For instance, if a ship should arrive in Manila,
3 it was necessary to get it unloaded before anything
4 happened to it, and as a result it was necessary to
5 route all available transportation for discharging the
6 ship and hauling the supplies to places of safety."

7 * * * *

8 "Q Now, from what you saw and what you know,
9 what was the condition of food and supplies insofar as
10 prisoner of war camps, internee camps, and the Japan-
11 ese Army, were concerned?"

12 * * * *

13 "A (Through Commander Bartlett) In my knowledge,
14 it was no difference whatever between the prisoner of
15 war camps, internee camps, and the Japanese Army;
16 they were the same.

17 "Q (By Captain Reel) Now, what was the condition
18 of the food supply between October and December, 1944?

19 "A I will tell you the conditions in October first.

21 "Q All right.

22 "A When I arrived in October, although the
23 standard ration for troops was 450 grams, they were
24 actually receiving not more than 400 grams.

25 According to my memory, in November, on the
9th day, 10,000 tons of rice arrived from Saigon. Of

1 this, approximately half was sent to Leyte. On
2 the assumption that the remaining half must be stretch-
3 ed out over two months, the daily ration was again cut
4 to 400 grams. As a matter of fact, the actual ration
5 received by the men was less than 350 grams.

6 I will now speak of December. No food arrived
7 by boat in December. All the ships were sunk by enemy
8 action. As a result, the food situation deteriorated
9 further and many organizations were actually receiving
10 not more than 250 or 260 grams. Therefore, it appears
11 necessary to take steps to secure part of the new crop
12 of rice being harvested at the end of December and
13 early in January, and I brought this matter to the
14 attention of the commander -- to General Kira's atten-
15 tion."

16 * * * *

17 "Q (By Captain Reel) Now, you just stated that
18 a ship arrived approximately the 9th of November, 1944,
19 containing 10,000 tons of rice. Are you sure of that
20 figure?

22 "A Yes.

23 "Q General Kira was on the stand and said that
24 some time in November 16,000 tons of rice arrived.
25 Was he correct?

"A I think what he said is a mistake.

1 "Q Now, that 10,000 tons of rice, what was done --
2 strike that. What was done with the 10,000 tons of rice?

3 "A Of the 10,000 tons, 5,000 tons were sent or
4 lent to the navy --

5 "CAPTAIN REEL: Was that 500 or 5,000?

6 "INTERPRETER OISHI: Yes, 500.

7 "THE WITNESS: The actual amount used in Manila
8 was 4,000 ton. There was some spoilage.

9 "Q Now, how many meals a day did the Japanese
10 army soldiers get?

11 "A Three times a day, but on occasions two times
12 a day -

13 "Q Now, was that general rule of three times a
14 day cut to two times a day some time in January of 1945?

15 "A Yes.

16 "Q That included yourself?

17 "A Yes."

18 * * * *

19 "Q Now, did you go on any inspection trips of
20 prison or internee camps?

21 "A Yes.

22 "Q And on whose order did you make these inspec-
23 tion trips?

24 "A The Chief of Staff.

25 "Q That is General Muto?

1 "A Yes.

2 "Q Now, where did you go on these trips, which
3 camps?

4 "A To Santo Tomas Internment Camp, the Bilibid
5 Internment Camp and McKinley Internment Camp; the
6 three places in all.

7 "Q Did you go to any others?

8 "A No.

9 "Q And what did General Muto tell you to do?

10 "A The matters dealing with supply, particularly
11 food.

12 "Q And what did you find on your inspections to
13 these three camps relative to food?

14 "A The food supply was the same as those of the
15 Japanese army but they were gradually diminishing.
16 Ships had not come in. There were no fuels for trans-
17 portation purposes so we had to borrow those items from
18 the air force."

19 * * * *

20 "Q (By Captain Reel) Did you find that the Japan-
21 ese Army had to make local purchases in the vicinity of
22 those three camps?

23 "A They purchased vegetables but I doubt if they
24 purchased rice.

25 "Q Now, what were the dates upon which you visited

those three camps, as near as you can recollect?

"A I believe it was about November 20th, 1944.

"Q As a result of those visits, did you make a report to General Muto?

"A Yes.

"Q What was the nature of that report?

"A The food was the same as those of the Japanese army but it was meager.

"Q Did you make any recommendations?

"A Since ships didn't come in and we couldn't very well requisition any supplies from the locality, something must be done to requisition them from Luzon."

* * * *

"Q (By Captain Reel) How would this requisition, as it has been interpreted, be done?

"A I didn't mean 'requisition'; 'buy' is the word.

CAPTAIN REEL: Could I have the last answer?

(Answer read)

"Q (By Captain Reel) Now, what was the recommendation that you made to General Muto relative to buying rice?

"A First of all, even if we didn't buy rice we didn't have the fuel for automobiles. We should have arrangements made to obtain fuels from the air force.

"Q In other words, you recommended getting fuel

from the 4th Air Army?

"A Yes.

"Q And what did General Muto do when you reported that to him?

"A He immediately dispatched myself and Deputy Chief of Staff Nishimura to this 4th Air Force.

"Q For what purpose?

"A In order to obtain gasoline.

"Q And how much gasoline were you to obtain?

"A A minimum of 10,000 drums.

"Q Did you get it?

"A No.

"Q Did you make further trips and attempts to get gasoline from the 4th Air Army?

"A I made about seven trips.

"Q And did you finally get any gasoline from the 4th Air Army?

"A On December 15th of last year I received 1500 drums.

"Q Did you actually get 1500 drums in your possession?

"A I actually received 600 drums."

* * * *

"Q (By Captain Reel) Where were the 600 drums that you did receive?

1 "A We used that to transport munitions and food
2 supplies from Manila."

3 * * * *

4 "GENERAL REYNOLDS: The Commission interrupts.
5 Let us drop this subject of gasoline. We grant that
6 the transportation difficulties and gasoline short-
7 age difficulties were present and that they were acute
8 and that they affected their operations. We see no
9 occasion for pursuing this any further. We will now
10 take up some other subject.

11 "CAPTAIN REEL: All right, sir. The only
12 purpose of going into the fuel question was because
13 the lack of fuel was the bottleneck that prevented
14 the shipment of food. That is its relationship to the
15 food question, if the Commission please.
16

17 "GENERAL REYNOLDS: We grant that.

18 "CAPTAIN REEL: Yes, sir.

19 "Q Now, do you recall an order relative to the
20 release of prisoners of war and civilian internees?

21 "A Yes.

22 "Q And tell us what that order was and who it
23 came from.

24 "A It came from Tokyo, from the Army Commander
25 through YAMASHITA and it was issued to the various
internment camps.

1 "Q In other words, the order came from Tokyo
2 but was passed on by General YAMASHITA, is that right?

3 "A Yes.

4 "Q When did the order first come to your attention?

5 "A I believe it was about December 20th.

6 "Q And what was the substance of the order from
7 Tokyo?

8 "A It first was to treat prisoners in a friendly
9 manner and in case the Americans should approach to
10 leave as much food and medicine as possible for the
11 internees and prisoners.

12 "The third item was not to treat the prisoners
13 or internees in any atrocious manner whatsoever be-
14 fore retreating."

15 * * * *

16 "Q Now, was that a written order?

17 "A Yes.

18 "Q And do you have that order with you?

19 "A No.

20 "Q What happened to it?

21 "A I had to throw all the papers I had away
22 at the Luzon P.W. Camp No. 1.

23 "Q Did you have it until you got to the Luzon
24 P.W. Camp No. 1?

1 "A Yes.

2 "Q And why did you throw it away?

3 "A There was instructions to that effect.

4 "Q From whom?

5 "A From one who is in charge there.

6 "Q Somebody in charge of the prison?

7 "A Yes.

8 "GENERAL REYNOLDS: The Commission interrupts
9 for clarification of words. I believe he said 'throw
10 away.' Is that correct?

11 "INTERPRETER: Yes.

12 "GENERAL REYNOLDS: Could it also have meant
13 'surrender' or 'give up'? because it seems inconceiv-
14 able that American officers would ask prisoners of war
15 to throw away official documents when their mission
16 was to capture or gain possession of them.

17 "MAJOR PRATT: Sir, the word which the pris-
18 oner used was 'sutero', which means to 'discard' or
19 throw away.'

20 "GENERAL REYNOLDS: Very well."

21 * * * *

22 "Q Did you at any time either during your
23 trips to Santo Tomas, Bilibid, Fort McKinley or at any
24 other time hear any reports of cruelty and ill treat-
25 ment of prisoners of war and internees?

"A No.

1 If the Court please, there is an insertion
2 here by the prosecution:

3 "Q You had inspected Santo Tomas, Bilibid
4 and Fort McKinley prisoner-of-war or internment camps
5 on the 20th of November; is that correct?

6 "A Yes.

7 "Q Did you visit each of those places on
8 the same day?

9 "A On different days.

10 "Q On what date did you visit each one of
11 them?

12 "A I visited Santo Tomas about November 18th
13 or 19th. I visited Bilibid about three days afterward.
14 I visited McKinley in the early part of December.

15 "Q Was that the only time that you visited
16 those camps?

17 "A That was the only time.

18 "Q Do I understand that you never visited
19 any other prisoner-of-war or internment camps?

20 "A No. I did not visit any other camps.

21 "Q In December 1944 you were already moving
22 supplies from Manila; is that correct?

23 "GENERAL REYNOLDS: Before that question
24 is answered, the witness has testified that he visited
25 these prisoner-of-war and civilian internee camps and

made investigations as to the ration, but before we
1 leave that subject we must know whether he went into
2 the prisoner-of-war dining rooms and saw the food on
3 their tables and saw the storerooms and compared what
4 prisoners of war were eating with the food served to
5 the Japanese guards at that time. The mere statement
6 that he visited the four camps does not in any way
7 set him up as qualified to make the statements until
8 we find that out. Please explore it further."

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1 THE PRESIDENT: None of us can follow you.

2 MR. FREEMAN: This is an insertion by the
prosecution.

3 THE PRESIDENT: Page what?

4 MR. FREEMAN: It is in the original. It is
5 the top of page 10.

6 "CROSS-EXAMINATION"

7 * * * *

8 "Q What canned goods were you applying to the
9 internees at that time?

10 "A I do not know those small details.

11 "Q Weren't you in charge of supplying them?

12 "A I was in charge of the over-all planning of
13 supplies for the entire army, and I do not know those
14 minute details regarding the matter on hand.

15 "Q When you inspected Santo Tomas, did you find
16 any canned goods there?

17 "A I do not remember distinctly now whether
18 there were canned goods there or not."

19 There is another insertion by the prosecu-
20 tion -- a comment by the Commission.

21 "GENERAL REYNOLDS: The Commission is in
22 session.

23 "Before you leave the question of food in
24 the camps, we will recall that the American civilian

1 internees and prisoners of war complained about the food
2 qualitatively, that is, that it contained insufficient
3 vitamins and minerals, and quantitatively, that is
4 to say, not enough to prevent malnutrition and starva-
5 tion. This witness testified that he inspected the
6 mess hall during the preparation of a meal at one
7 prisoner of war camp, which was in Bilibid, and he had
8 nothing to say about the quantity, that is, how much
9 per person was being served that day in comparison to
10 the Japanese army; nor did he have anything to say
11 about the extent of his inspection, how long he in-
12 spected.

13 "Will you explore that further?

14 "CAPTAIN CALYER: Yes, sir.

15 "GENERAL REYNOLDS: Also, if he saw any
16 American soldiers or internees, to compare their physi-
17 cal condition with the guards."

18 There is another insertion for the prosecu-
19 tion.

20 "CAPTAIN REEL: Sir, I believe the difficulty
21 comes from the fact that the question is asked about
22 Bilibid. The testimony of the witness was that he
23 was at McKinley when food was being prepared, and at
24 Bilibid there was no such preparation.

25 "GENERAL REYNOLDS: That is correct; it was

McKinley.

"CAPTAIN CALYER: That was my memory, too,
but the Commission had asked about Bilibid.

"GENERAL REYNOLDS: Fort McKinley was the
correct place."

* * * *

"Q On your visits to Santo Tomas, Bilibid and
Fort McKinley did you go into the dining rooms when
the prisoners were being fed?

"A At McKinley I happened to go there when they
were just preparing the food, that is, when the food
was ready to be served.

"Q What was being prepared?

"A They had rice together with fried potatoes,
with some beans.

"Q That was in December?

"A Yes.

"Q What was the diet of the Japanese soldier at
that time?

"A Something very similar.

"Q Did you inspect the storehouses at Fort Mc-
Kinley?

"A No.

"Q Did you inspect the dining rooms at Santo
Tomas?

1 "A I went to Santo Tomas after they had already
2 eaten supper.

3 "Q Do you know what had been served?

4 "A And I visited the warehouse.

5 "Q What did you find at the warehouse with
6 regard to supplies?

7 "A They had food stored there similar to our
8 standards.

9 "Q What kind of food?

10 "A Mostly rice.

11 "Q Do you know what had been served with the
12 meal before you got there?

13 "A I do not know.

14 "Q Did you examine or inspect the dining room at
15 Bilibid?

16 "A I arrived at Bilibid after meal also. I in-
17 spected the warehouse and the kitchen.

18 "Q What did you find?

19 "A I found that the rations were the same as
20 those of the Japanese soldier.

21 "Q On your trips to these three places did you
22 talk with any of the internees about food?

23 "A No.

24 "Q Were any reports or complaints submitted to
25 you by the camp committee at any of these places?

1 "A No.

2 "Q Did you talk with the Japanese officials in
3 charge of the camp?

4 "A Yes.

5 "Q Were they satisfied with food conditions in
6 their respective camps?

7 "A They were not satisfied.

8 "Q What was done about it?

9 "A They requested more rice and more canned
10 goods.

11 "Q What did you do about it?

12 "A I wanted to increase their rice and canned
13 goods, but as far as the rice went, as I mentioned
14 before, they were getting the same amount as the Jap-
15 anese soldier and I do not remember now, but as far as
16 the canned goods are concerned, I believe I did some-
17 thing about those.

18 "Q What did you do?

19 "A I gave instructions to increase the amount
20 of canned goods they were to get, but at that time
21 there weren't many canned goods available and what the
22 results of my instructions were I do not know.

23 "Q Were those increases intended for the inter-
24 nees or for the Japanese garrison?

25 "A What I have stated concerns the internees

1 and the prisoners."

2 Here is another insertion from the original
3 requested by the prosecution.

4 "Q General MUTO testified that you were the
5 staff officer in charge of prisoner of war affairs.
6 Is that statement correct?

7 "A Yes.

8 "Q And yet the only inspections you made were
9 those which you have testified to, is that correct?

10 "A I could not make an inspection before.

11 "Q Whose staff were you on?

12 "INTERPRETER: There is a correction.

13 "I could not make any inspections after
14 that.'

15 "Q Why not?

16 "A Since that time I have been to Fort McKinley
17 only once due to gasoline shortages and due to opera-
18 tional preparations.

19 "Q Didn't you testify that you were stationed
20 at Fort McKinley until the 5th of January, 1945?

21 "A Yes.

22 "Q Weren't you somewhere in the vicinity of Caba-
23 natuan in the latter part of January or early part of
24 February, 1945?

25 "A Yes.

1 "Q But you never visited Cabanatuan, is that
2 correct?

3 "A I did not go.

4 "Q Whose staff were you on?

5 "A I was a staff officer for General YAMASHITA.

6 "Q I believe at the beginning of your testimony
7 this morning you said that your job concerned supply
8 and transportation. Was that statement correct?

9 "A Yes."

10 * * * *

11 "Q How many prisoners were at Bilibid at the
12 time you made your inspection?

13 "A About 2100."

14 * * * *

15 "Q How many prisoners were at McKinley at that
16 time?

17 "A About 300.

18 "Q How much rice was being prepared for that meal?

19 "A Since there are three kettles cooking, I
20 assumed that it must have been about from half a sack
21 to one sack."

22 * * * *

23 "Q Do I understand you to mean, then, that about
24 25 pounds of rice was being prepared for 300 people?

25 "A I was referring to amount of rice from 50 to

1 100 pounds."

2 * * * *

3 "Q During any of these inspections, did you
4 observe the internees?

5 "A At McKinley I observed some, but other than
6 that I wasn't able to observe them.

7 "Q How did those whom you observed at McKinley
8 compare in physical appearance with the Japanese guards
9 at McKinley?

10 "A I thought it was similar.

11 "Q How did you happen to make these inspec-
12 tions?

13 "A As I stated before, in the early part of
14 November I was ordered to make an inspection tour
15 concerning the shortage of rice and other food supplies.

16 "Q Weren't you the staff officer in charge of
17 prisoner of war affairs?

18 "A I was in charge of provisions and medical
19 supplies, as far as the prisoners were concerned.

20 "Q Is that all that you had to do with prisoner
21 of war camps?

22 "A That is correct.

23 "Q Did you have the same duties with respect to
24 internee camps?

25 "A Same.

1 "Q Was that with regard to all prisoner of war
2 and internee camps in the Philippines?

3 "A Yes.

4 * * * *

5 "REDIRECT EXAMINATION

6 "Q One more question: On your inspection trip
7 to Fort McKinley, when you saw a meal being prepared,
8 how many pounds or rice did you see being prepared
9 for that meal?

10 "A Approximately anywhere from 50 pounds to
11 100 pounds.

12 "EXAMINATION ON BEHALF OF THE COMMISSION

13 "Q While the witness was acting on General
14 YAMASHITA's staff on prisoner of war matters, we wish
15 to know whether any of the complaints filed by Ameri-
16 can prisoners of war and civilian internees were brought
17 to his attention.

18 "A No, I haven't.

19 "Q Did General YAMASHITA's orders require that
20 such complaints be forwarded to his headquarters?

21 "A Yes.

22 "Q As staff officer did you consider the over-
23 all responsibility for prisoner of war camps and
24 civilian internees squarely on General YAMASHITA?

25 "A I believe that the most responsible person
is the commanding officer of the prisoner of war camp."

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1 "FURTHER RECROSS EXAMINATION

2 "Q Who prepared the regulations regarding the
3 conduct of prisoners of war and civilian internees
4 in the camps?

5 "A The regulations pertaining to the conduct
6 in prisoner of war camps was made by a discussion be-
7 tween the camp commander and the committee, and that
8 is my understanding.

9 "Q Were they approved by any higher authority?

10 "A I don't remember, but probably it was so.
11 At the time of my arrival things were put into prac-
12 tice already and those things were decided long be-
13 fore my arrival.

14 "Q As staff officer in charge of prisoner of
15 war affairs did you ever inquire what regulations
16 were in effect?

17 "A Matters pertaining to the conduct within
18 the P.W. camps were the responsibility of the camp
19 commander, and I didn't have much to do with what
20 was going on within the camp.

21 "Q Did you ever inquire what those regulations
22 were?

23 "A Since those regulations were made by the
24 inmates themselves I didn't think I should say or
25 do anything about it.

1 "Q Will you answer the question, please, whe-
2 ther you inquired what the regulations were?

3 "A No.

4 "Q Do you know who prescribed regulations
5 with regard to the punishment of civilian internees
6 and prisoners of war?

7 "A I do not know.

8 "FURTHER EXAMINATION ON BEHALF OF THE COM-
9 MISSION:

10 "Q Who did the Japanese Government, the
11 Japanese High Command at Tokyo, hold responsible
12 for the administration of prisoners of war and
13 civilian internees?

14 "A Prisoner of war commander, the camp com-
15 mander.

16 "Q (By General Reynolds) Do you mean to tell
17 me that the Japanese High Command in Tokyo held
18 that General YAMASHITA did not have complete re-
19 sponsibility for prisoners of war under his control?

20 "A No, I did not.

21 "Q What did you mean?

22 "A Direct responsibility with the prisoner
23 of war camp commander.

24 "GENERAL REYNOLDS: Read the original question.

25 "THE WITNESS: I believe there are some respon-

1 sibilities.

2 "Q (By General Reynolds) What is that responsi-
3 bility?

4 "A As for carrying out the orders, that was
5 the responsibility of the prisoner of war camp
6 commander. However, the overall responsibility
7 lies in the Army commander.

8 "Q Who was responsible for the camp commander
9 carrying out the orders?

10 "A First, there was Lieutenant General KO,
11 and afterwards it was Lieutenant Colonel HAYASHI.

12 "Q And after that who was it?

13 "A That is all.

14 "Q And above Lieutenant Colonel HAYASHI and
15 Lieutenant General KO, who was responsible to see
16 that the orders of Tokyo were carried out?

17 "A The next responsible person was myself, who
18 was a member of the staff in charge of the P. W.
19 affairs.

20 "Q And who was next?

21 "A The next person, the next responsible person
22 is the chief-of-staff.

23 "Q And who was next?

24 "A And the next responsible person is the com-
25 manding officer of the 14th Area Army.

1 "Q What was his name?

2 "A General YAMASHITA.

3 "Q Of all the people he has named who had re-
4 sponsibility for the prisoners of war and civilian
5 internees, which of them was responsible to Tokyo
6 for their administration?

7 "A I believe it is the 14th Area Army commander.

8 "GENERAL REYNOLDS: Why should he believe it;
9 doesn't he know it?

10 "THE WITNESS: Since the prisoner of war camps
11 are within the command of the Army commander, and
12 since most of the administrative matters go through
13 the Army commander, I believe it was his responsi-
14 bility.

15 "FURTHER DIRECT EXAMINATION.

16 "Q And who was next in command above General
17 YAMASHITA?

18 "A Marshal TERAUCHI.

19 "Q And did all your communications to Tokyo go
20 through the Supreme Southern Commander, Marshal
21 TERAUCHI?

22 "A Reports pertaining to prisoners were sent
23 directly to Tokyo, to the office of information for
24 prisoners.

25 "Q And reports from Tokyo, did they go through

1 Marshal TERAUCHI, the Supreme Southern Commander?

2 "A I believe they came direct.

3 "Q Did reports other than routine reports have
4 to go through the Supreme Southern Commander?

5 "A Yes.

6 "Q And did reports other than mere routine
7 reports coming from Tokyo go through the Supreme
8 Southern Commander?

9 "A Yes.

10 "CAPTAIN REEL: That is all."

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1 MR. FREEMAN: I next call the witness
2 KOBAYASHI, Shujiro whose affidavit is defense docu-
3 ment 2211.

4 S H U J I R O K O B A Y A S H I, called as a witness
5 for the defense, being first duly sworn, testi-
6 fied through Japanese interpreters as follows:

7 DIRECT EXAMINATION

8 BY MR. FREEMAN:

9 Q Mr. KOBAYASHI, will you give us your full
10 name and address.
11

12 A My name is KOBAYASHI, Shujiro. My address
13 is Kidaide, Shimmei-cho, Inadachi-gun, Fukui Prefec-
14 ture.

15 MR. FREEMAN: May the witness see defense
16 document 2211.

17 (Whereupon, a document was handed
18 to the witness.)

19 Q Is that your affidavit, and have you signed
20 it?

21 A It is my affidavit. It bears my signature.

22 Q Are the contents therein true and correct?

23 A However, there is a correction I should like
24 to make.

25 Q Will you please indicate the correction.

1 A On the second line of page 2 in the Japanese
2 copy, "1947" should be corrected to "1944."

3 (By the interpreter) That is page 4 of the
4 English text at the end of the third paragraph.

5 A (Continuing) "The morning of the 24th"
6 should be corrected to "the morning of the 14th." The
7 "24th" should be corrected to the "14th."

8 Page 7, just before the numbered paragraph
9 6, the words "The staff of the Headquarters including
10 General YAMASHITA" should be corrected to "General
11 YAMASHITA and his Chief of Staff." That is all.

12 MR. FREEMAN: With these corrections, I offer
13 defense document 2211 in evidence.

14 THE PRESIDENT: Mr. Tavenner.

15 MR. TAVENNER: If the Tribunal please, ob-
16 jection is made to that part of the affidavit begin-
17 ning at the end of the second paragraph on page 1,
18 "I will make a statement as follows," down to item 6,
19 the last paragraph on page 2. This matter relates
20 entirely to the plan of operations which could have
21 no material bearing on any issue in the case. If that
22 objection is sustained, then paragraph 6, the first
23 word, "he," should be struck and "the Area Army Com-
24 mander" should be substituted in order to make sense.

25 THE PRESIDENT: Well, I am inclined to agree

1 with a colleague who thinks that most of this is de-
2 voted to description of operations.

3 MR. TAVENNER: I was about to comment, if
4 your Honor please, that it seems to go into unneces-
5 sary detail. There are portions here and there which
6 appear relevant.

7 MR. FREEMAN: If the Tribunal please, I am
8 willing to take out all that the prosecution has ob-
9 jected to with the exception of beginning with "but
10 General YAMASHITA decided on a plan" because that
11 relates to foodstuffs. That is items 1 and 2 on
12 page 2.

13 THE PRESIDENT: I suggest this witness stand
14 down until you revise his affidavit. Let us get on
15 to the other witnesses.

16 MR. FREEMAN: May the witness be excused?

17 (Whereupon, the witness was ex-
18 cused.)

19 I next call the witness KOSHI, Saburo, whose
20 affidavit is defense document 2297.

21 THE PRESIDENT: Mr. Tavenner, I suppose you
22 have read the remaining affidavits. Do you propose
23 to make similar objections?

24 MR. TAVENNER: That objection will not be
25 made to the next affidavit and, in all probability,

cross-examination will be conducted.

S A B U R O K O S H I, called as a witness on behalf of the defense, being first duly sworn, testified through Japanese interpreters as follows:

DIRECT EXAMINATION

BY MR. FREEMAN:

Q. Mr. KOSHI, will you give us your full name and address.

A My name is KOSHI, Saburo; my address, No. 1110, Nishiuzuhashi, Matsumoto City, Nagano Prefecture.

MR. FREEMAN: May the witness be shown defense document 2297.

(Whereupon, a document was handed
to the witness.)

Q Is that your affidavit, and have you signed it?

A Yes.

Q. Are the contents therein true and correct?

— 11 —

MR. FREEMAN: I offer in evidence defense document 2297.

THE PRESIDENT: Admitted on the usual terms.

CLERK OF THE COURT: Defense document 2297

1 will receive exhibit No. 3095.

2 (Whereupon, the document above re-
3 ferred to was marked defense exhibit No.
4 3095 and received in evidence.)

5 MR. FREEMAN: I now read into evidence ex-
6 hibit 3095, beginning with the second line, second
7 paragraph:

8 "During the Pacific War I, as the assistant
9 Resident of Asahan of the East Coast Residency, Sumat-
10 ra, Netherlandish East India, was in charge of the
11 general military government in this district for three
12 years ranging from August 6, 1943 to August 15, 1945.
13 And then from the termination of the war to the end of
14 April in 1946, when I was repatriated, I engaged myself
15 in the arrangement of business at Tanjon Valley of
16 Asahan Sub-Residency. Accordingly, I am one of those
17 who have the best knowledge of the condition of the
18 military government and the real state of the general
19 detention camp, not only in Asahan Sub-Residency, but
20 also in the East Coast Residency.

21 "I. General treatment for war-prisoners and
22 internees in Sumatra.

23 "A. War prisoners.

24 "At the time when I arrived at my post there
25 (August 6, 1942), the European War-prisoners camp was

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1 in the vicinity of Medan. All the native soldiers
2 had been released by that time except the soldiers who
3 came from Amboin. They were kept under detention at
4 Kota Chane because their religion and custom were
5 different from others' and they had no occupation. I
6 do not know about the internal affairs of the camp, for
7 the administration of war-prisoners was under the di-
8 rection of the commandant of the detention camp at
9 Singapore and had nothing to do with the military
10 government.

11 "B. General internees.

12 "The policy concerning the treatment of the
13 interned was always in accordance with humanity and
14 the international law.

15 "Provisions were supplied with food according
16 to the rule, compulsory labour and mistreatment were
17 prohibited, and punishments were all dealt in the
18 light of the law. Besides, private things of the
19 interned were permitted to be brought in to the great-
20 est possible extent, and their remaining things and the
21 property of legal persons were respectively kept and
22 administered by the Administration Bureau of Enemy's
23 Assets in accordance with the prescribed procedure.

24 "For the sake of convenience for making
25 statements, I should like to divide into three terms

KOSHI

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the period ranging from the time of my arriving at
the post to the war end.

"The first term: From August, 1942 to March,
1944.

5 "(a) During this term the detention camps
6 were under the control of the Military Government
7 Department. They were located in the cities of Medan,
8 Blasta'y Shantal, Binjay, Tanjon Valley.

"(1) Hospitals, hotels, churches and private houses (residences of European people) were used for camp buildings.

"(2) The ration of provisions, especially of staple-food, for the interned was much larger in quantity than that for general inhabitants. Even in the prewar time Sumatra could not supply herself with sufficient foodstuff and was dependent upon the import from abroad. During the wartime, the lack of vessels and the damages sustained by the attack of submarine boats caused great difficulty in its importation of food. From a viewpoint of self-sufficiency, we were conducting a movement for a great increase in food-production, but we could not get any noticeable result. Due to the shortage of transportation capacity we encountered many difficulties in gathering crops. Accordingly, we could not distribute food to inhabitants

1 so well. But as for the ration of food for the in-
2 terned, we did our best to maintain the prescribed
3 quantity. When there was shortage of rice, we always
4 made up for it with some other kinds of grain. Vege-
5 tables were raised only by a few natives and some
6 Chinese residents and that very little. So we en-
7 couraged vegetable growing but the result was not so
8 good.

9 "(3) General internees were at first al-
10 lowed to carry some money in cash and other valuables.
11 But this was restricted around May 1943 due to vari-
12 ous evils which took place in connection with them.

13 "(4) The internees were allowed to go shop-
14 ping on a duty system and the authorized merchants to
15 enter the compound. Therefore the internees at first
16 enjoyed their lives. But as evils came to take place
17 one after another, the authorities became more strict
18 with them and at last those intercourses with outside
19 were prohibited. So was the employment of maid ser-
20 vants.

21 "(5) Sanitation.

22 "One European doctor was attached to every
23 detention camp. Mild cases were looked after at the
24 dispensary in the camp and those with serious disease
25 were admitted to a hospital with the permission of

KOSHI

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1 the responsible persons. At that time medical artic-
2 les were kept in large quantities.

3 "(6) Within the compound of the camp every-
4 thing was transacted by the internees on an autono-
5 mous system. They could take recreation and other
6 necessary measures for securing health at their own
7 device. If there was anything that they found impos-
8 sible for them to do, they used to send us their rep-
9 resentatives and had them make proposals to us. They
10 were allowed to buy sporting goods.

11 "(7) The buildings of the detention camp were
12 of European style and very good for health. Their
13 life within the detention camp was totally autonomous
14 and they carried on the education of their boys and
15 girls by themselves.

16 "(8) Considering distance and other matters
17 we provided the greatest possible convenience for
18 their interview and communication. On every national
19 holiday they were permitted to see their families.

20 "(9) Japanese personnel could not enter the
21 camp without the permission of the responsible person.

22 "(b) Collaborators in military government.

23 "It was the policy of military government at
24 that time to have those who were concerned in farms and
25 doctors voluntarily collaborate in the administra-

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tion of farms and in sanitary business respectively.
So several hundreds of European people worked outside
the camp and still enjoyed almost the same life and
status as before. Such persons were completely pro-
tected from being looted by the natives or from the
dangers of life, and were vested with the authorita-
tive power concerning the performance of their duties
and this power was guaranteed. Some of them were made
to stop collaboration and held in the detention camp
through the prescribed formalities for such special
reasons that they went into personal conflict with
some Japanese, made friction with native people, did
or might go against the aim of military government, or
often took an action liable to be regarded as being
against the aim. All others continued their life until
the military situation became acute afterwards. All,
except special persons, willingly collaborated in
our task of military government. The heads of the
military government office all recognized, admired and
appreciated the good results of their collaboration.

"The Second Term: From around April, 1944
to October of the same year.

"During this term the 25th Army was in direct
charge of the detention camps. This was because the
military situation in the Indian Ocean grew gradually

KOSHI

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1 strained, and one or two of the detention camps were
2 removed to the inner land. The treatment of the in-
3 terned was, in principle, the same as in the First
4 Term. However, it appeared that Lieutenant Colonel
5 SITA, who newly entered upon the duty, and some few
6 soldiers and civilians in military service were in
7 some points inattentive, because they were not accus-
8 tomed to the land and could not make themselves under-
9 stood and the surrounding situation became tense. And
10 yet the military government department ordered them
11 to give perfect assistance to the interned. It was
12 around this time when the general economic difficulty
13 began to be shown and the business of the detention
14 camp began to grow gradually difficult to manage. The
15 officials concerned made their best to gather food-
16 stuff and other materials as well as to make connect-
17 ion with the military government department. Their
18 efforts were very impressive.

19 "Owing to the shortage of staff, part of the
20 guard was filled by the native supplementary soldier.
21
22 "Since then European people as collaborators
23 were gradually being replaced by Japanese people or
24 the natives because the war situation grew acute.
25
26 "The third Term: From around October 1944
27 to the end of the war."

1 THE PRESIDENT: This is a convenient break.
2 We will adjourn until half-past nine tomorrow morning.
3 (Whereupon, at 1600, an adjourn-
4 ment was taken until Friday, 5 September
5 1947 at 0930.)

- 1 -